

S2115 SAT-STA-20110819-00163
Open Range Communications

IE2011004050

File # SAT-STA-20110819-00163

Call Sign (or other identifier) Grant Date 09/29/11

Term Dates 180 days
From 09/29/11 To:

Approved by OMB
3060-0678

Approved: Stephen J. Duall

Stephen J. Duall
Chief, Satellite Policy Branch



Date & Time Filed: Aug 19 2011 4:15:06:080PM
File Number: SAT-STA-20110819-00163
Callsign:

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Request for extension of STA

1. Applicant

Name:	Open Range Communications	Phone Number:	303-376-2113
DBA Name:		Fax Number:	303-376-2109
Street:	6430 S Fiddlers Green Circle Suite 500	E-Mail:	dan@openrange.us
City:	Greenwood Village	State:	CO
Country:	USA	Zipcode:	80111 -
Attention:	Mr Daniel R Vortherms		


Attachment
Open Range Communications Inc.
Request for Special Temporary Authority
IBFS File No. SAT-STA-20110819-00163

The request by Open Range Communications Inc. for Special Temporary Authority to continue providing terrestrial service in the 2483.5-2495 MHz frequency band for 180 days, commencing September 29, 2011, IS GRANTED, subject to the conditions prescribed in DA 10-1740 (rel. September 14, 2010) at Paragraph 54 and DA 10-1801 (rel. September 23, 2010) at Paragraph 5(b). Operations under this grant of special temporary authority are also conditioned on compliance with the following additional requirement:

1. Within five (5) business days of the grant of this application, Open Range shall provide, in writing, through a submission into IBFS File No. SAT-STA-20110819-00163:
 - a. a point of contact, available for resolution of interference complaints on a 24 hour-a-day, 7-days-per-week basis.
 - b. a description of any arrangements Open Range has made to protect authorized operations of Globalstar mobile terminals in the 2483.5-2495 MHz frequency band.

Open Range is reminded that all operations under this grant of special temporary authority are on a non-interference and unprotected basis, and is required to take all necessary steps to ensure that interference does not occur.

This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106 and 1.115, may be filed within 30 days of the date of the public notice announcing this action.

 GRANTED* International Bureau *with conditions	File # SAT-STA-20110819-00163
	Call Sign _____ Grant Date 09/29/11 (or other identifier)
	Term Dates Period of From 09/29/11 To: 180 days
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

2. Contact			
Name:	Open Range Communications	Phone Number:	303-376-2113
Company:		Fax Number:	303-376-2109
Street:	6430 S Fiddlers Green Circle Suite 500	E-Mail:	dan@openrange.us
City:	Greenwood Village	State:	CO
Country:	USA	Zipcode:	80111 -
Attention:		Relationship:	
(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)			
3. Reference File Number or Submission ID			
4a. Is a fee submitted with this application?			
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).			
<input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee			
<input type="radio"/> Other (please explain):			
4b. Fee Classification CXW - Space Station (Non-Geostationary)			
5. Type Request			
<input type="radio"/> Change Station Location		<input checked="" type="radio"/> Extend Expiration Date	
		<input type="radio"/> Other	
6. Temporary Orbit Location		7. Requested Extended Expiration Date	
		2012-03-27 00:00:00.0	

8. Description (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

NULL

9. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; party to the application; for these purposes. Yes No

10. Name of Person Signing
Dan Vortherms

11. Title of Person Signing
VP Technology

12. Please supply any need attachments.

Attachment 1: Exhibit

Attachment 2:

Attachment 3:

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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August 19, 2011

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Ms. Mindel De La Torre
Chief, International Bureau

Ms. Ruth Milkman
Chief, Wireless Telecommunications Bureau

Mr. Julius Knapp
Chief, Office of Engineering and Technology

Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: Open Range Communications Inc.
Request for Extension of Special Temporary Authority
SAT-STA-20100625-00147**

Dear Ms. De La Torre, Ms. Milkman, and Mr. Knapp:

Open Range Communications Inc. ("Open Range") hereby respectfully requests extension of its existing Special Temporary Authority ("STA") for a period of 180 days commencing September 29, 2011 to continue operating on the Globalstar spectrum (2483.5 – 2495 MHz) in accordance with the terms of its existing authority. On September 14, 2010, the Commission denied Globalstar's request for extension of the ATC gating criteria compliance dates, but granted Open Range Special Temporary Authority to continue its operations on the Globalstar ATC spectrum.¹ The Bureaus, in the *Open Range STA* and *Reconsideration Order*, granted Open Range Special Temporary Authority to continue to operate and expand its network to a defined list of markets through January 31, 2011. Open Range subsequently sought and received an extension to operate through September 29, 2011.

¹ *Globalstar Licensee LLC, Application for Modification of License to Extend Dates for Coming Into Compliance with Ancillary Terrestrial Component Rules*, File No. SAT-MOD-20091214-00152 and *Open Range Request for Special Temporary Authority*, File No. SAT-STA-20100625-00147, Order (DA 10-1740)(IB, WTB, OET)(REL. September 14, 2010); *Order on Reconsideration, Open Range Request for Special Temporary Authority*, File No. SAT-STA-20100625-00147, Released September 23, 2010 (DA 10-1801) ("Reconsideration Order").

August 19, 2011

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The *Open Range STA* and *Reconsideration Order* require Open Range to submit monthly reports on the status of its efforts to secure alternative spectrum and to comply with the other commitments made by Open Range in seeking an STA. These commitments include limiting its build-out to a defined list of markets, compliance with all limitations and restrictions in its RUS loan agreement relating to the payment of dividends and distributions, payment of lease payments that would otherwise be due to Globalstar under the parties' spectrum lease instead to the U.S. Treasury as a voluntary contribution, and the submission of monthly reports on the status of its efforts to secure alternative spectrum.

Open Range has complied with all of the commitments and undertakings made by Open Range in seeking the STA. As reported in its previous extension request, as well as its monthly reports, Open Range has executed a Letter of Intent ("LOI") with one potential spectrum partner and is negotiating additional agreements with that partner. Open Range needs additional time to reach definitive agreements with this partner and plan the transition of its customer base to new spectrum. In light of Open Range's compliance with its commitments and its substantial efforts to date in securing alternative spectrum, an extension of the Special Temporary Authority previously granted is justified. Open Range's compliance efforts are detailed below.

Efforts To Secure Alternative Spectrum

Open Range's efforts to secure alternative spectrum are set forth in detail in the monthly reports Open Range filed on October 1, November 1, December 1, 2010, January 3, 2011, February 1, 2011, March 1, 2011, April 1, 2011, May 2, 2011, June 1, 2011, July 1, 2011 and August 1, 2011. Importantly, Open Range has executed an LOI with LightSquared providing for a series of agreements governing access to spectrum and other arrangements needed to implement service. The parties have exchanged draft agreements regarding access to spectrum, roaming and other matters. Recently, LightSquared announced that Sprint would be its partner in urban areas for the national buildout of its network. Open Range has been selected as LightSquared's rural partner for the buildout. In addition, Open Range has also actively pursued alternative spectrum arrangements with a variety of other potential spectrum partners. To date Open Range has conducted discussions with potential spectrum partners related to eight possible spectrum arrangements in different spectrum bands. Open Range will continue these efforts until its spectrum needs are fully met.

Compliance with Open Range Commitments

Beyond its efforts to secure alternative spectrum and to plan the transition of its customer base, Open Range has also complied with the other undertakings and commitments it made in seeking the STA. First, Open Range has agreed to make voluntary contributions to the Federal Government representing the lease payments it would have paid Globalstar

