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October 30, 2013

**VIA IBFS**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Section 1.65 Statement Clarifying Row 44, Inc. Modification Application, as amended, File Nos. SES-MOD-20121023-00963 and SES-AFS-20130920-00833**

Dear Ms. Dortch:

Row 44, Inc. ("Row 44") hereby responds to an October 28, 2013 telephone inquiry to the undersigned counsel from William Bell and Trang Nguyen of the FCC's International Bureau. During that conversation, the FCC requested minor clarifications concerning the above-referenced modification application, as amended, with respect to compliance with the recently adopted FCC Rules governing Earth Stations Aboard Aircraft ("ESAA"). This letter provides the requested clarifications.

In its Amendment, Row 44 included a chart detailing the paragraphs in its initial authorization in which it was made subject to provisions equivalent to the Commission's new ESAA Rules. *See* Row 44 Amendment, File No. SES-AFS-20130920-00833, Attachment 1 at 3. Below, it provides clarifications concerning three particular matters.

(1) Section 25.227(a)(5) of the ESAA Rules provides that "There shall be a point of contact in the United States, with phone number *and address*, available 24 hours a day, seven days a week, with authority and ability to cease all emissions from the ESAA." 47 C.F.R. § 25.227(a)(5) (emphasis added). In its initial application, and thereafter, Row 44 has consistently identified James Costello as its point of contact, and has included a contact telephone number. However, these filings have not specified a contact address, as required



under the new rule. Accordingly, Row 44 hereby clarifies that Mr. Costello's contact address with respect to interference issues is:

James B. Costello  
Row 44, Inc.  
820 Springer Drive  
Lombard, Illinois 60148

Additional Real-Time, 24-Hour/7-Day Contact Information

Phone: (331) 462-1800  
Email: [noc@row44.com](mailto:noc@row44.com)

(2) Sections 25.227(b)(7) and 25.227(a)(9) of the FCC's rules require applicants to certify that "Each ESAA terminal shall automatically cease transmitting within 100 milliseconds upon loss of reception of the satellite downlink signal or when it detects that unintended satellite tracking has happened or is about to happen." 47 C.F.R. §§ 25.227(b)(7) & 25.227(a)(9). The substance of this requirement was addressed in the following text of its initial application

"All emissions automatically cease within 100 milliseconds if the angle between the orbital location of the target satellite and the axis of the main lobe of the antenna exceeds  $0.5^{\circ}$ , and transmission is not resumed until the angle is less than  $0.2^{\circ}$  rms. In addition, if the ACU loses communication with the aircraft inertial reference system, it too will cause the transmitter to immediately mute as will a failure of the ACU itself."

Row 44 Application, File No. SES-LIC-20080508-00570, Narrative, § 4.2.2 Fault Detection & Management at 10 (May 2008). Row 44 further affirms that its system complies fully with the transmission cessation requirements now codified in the FCC's Rules, *i.e.*, that it is designed to cease transmitting within 100 milliseconds of losing reception of the satellite downlink signal or upon detection of any incidence of unintended satellite tracking. *See* 47 C.F.R. § 25.227(a)(9).

(3) Section 25.227(a)(6) of the FCC's Rules now states:

"For each ESAA transmitter, a record of the vehicle location (*i.e.*, latitude/longitude/ altitude), transmit frequency, channel bandwidth and satellite used shall be time annotated and maintained for a period of not less than one year. Records shall be recorded at time intervals no greater than one (1) minute while the ESAA is transmitting."

47 C.F.R. § 25.227(a)(6). Row 44 understands that this logging requirement will be a condition of its continuing authorization, and its system is fully compliant with it, as its initial authorization required tracking and logging of additional data down to 30 second intervals when "the aircraft roll angle [was] greater than 10 degrees." *Row 44, Inc.*, 24 FCC Rcd 10223, 10240



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(¶ 35(m)) (IB/OET 2009). Row 44 continues to record data as required by the Commission's Rules.

Should there be any additional questions regarding the pending modification application, as amended, please contact the undersigned counsel.

Respectfully submitted,

*s/ David S. Keir*

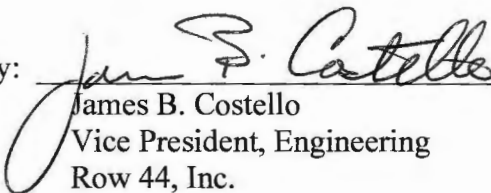
David S. Keir  
*Counsel to Row 44, Inc.*

cc: William Bell (FCC)  
Trang Nguyen (FCC)  
Stephen Duall (FCC)  
Paul Blais (FCC)

**TECHNICAL CERTIFICATION**

I, James B. Costello, hereby certify that I am the technically qualified person responsible for reviewing the engineering information contained in the foregoing submission, that I am familiar with Part 25 of the FCC's Rules, that I have reviewed the engineering information included in the filing, and that this information is true and correct to the best of my knowledge and belief.

October 30, 2013

By:   
James B. Costello  
Vice President, Engineering  
Row 44, Inc.