

August 24, 2006

**Via Hand Delivery**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: Telenor Satellite, Inc.  
Amendment to Application  
File No. SES-AMD-20060713-01148**

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Dear Ms. Dortch:

On January 30, 2006, Telenor Satellite, Inc. ("Telenor") filed an application for authority to operate earlier-generation L band mobile terminals in the United States with the Inmarsat 4F2 satellite at 52.75°W as well as with the Inmarsat 3F2 satellite at 15.5°W and the Inmarsat 3F3 satellite at 178.1°E.<sup>1</sup> On March 24, 2006, Mobile Satellite Ventures Subsidiary LLC ("MSV") filed a Petition to Hold in Abeyance this application unless and until the Inmarsat 4F2 satellite has been coordinated with other L band operators.<sup>2</sup> MSV also explained that Inmarsat's current operations on loaned-but-recalled spectrum -- regardless of whether the spectrum is used on an Inmarsat-3, Inmarsat-4, or any other Inmarsat satellite -- are blocking MSV's operations *today* and grant of the application, to the extent it authorizes Inmarsat's operations on the loaned-but-recalled spectrum, would do the same.<sup>3</sup> On July 13, 2006, Telenor filed the above-referenced amendment to this application providing further technical information.<sup>4</sup> MSV hereby incorporates by reference its filings regarding the underlying January 30<sup>th</sup> application into the record of the proceeding regarding the above-referenced amendment.<sup>5</sup>

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<sup>1</sup> See Telenor Satellite, Inc., Application, File No. SES-LIC-20060130-00175 (January 30, 2006).

<sup>2</sup> See Mobile Satellite Ventures Subsidiary LLC, Petition to Hold In Abeyance, File No. SES-LIC-20060130-00175 (March 24, 2006).

<sup>3</sup> See Mobile Satellite Ventures Subsidiary LLC, Reply to Oppositions to Petition to Hold In Abeyance, File No. SES-LIC-20060130-00175 (April 18, 2006), at 2.

<sup>4</sup> See Telenor Satellite, Inc., Amendment to Application, File No. SES-AMD-20060713-01148 (July 13, 2006) ("*Telenor Amendment*").

<sup>5</sup> See Mobile Satellite Ventures Subsidiary LLC, Petition to Hold In Abeyance, File No. SES-LIC-20060130-00175 (March 24, 2006); Mobile Satellite Ventures Subsidiary LLC, Reply to Oppositions to Petition to Hold In Abeyance, File No. SES-LIC-20060130-00175 (April 18, 2006).

Moreover, in its Amendment, Telenor reveals that both the Inmarsat 3F2 satellite at 15.5°W and the Inmarsat 3F3 satellite at 178.1°E operate with  $\pm 0.01^\circ$  East-West station keeping. *Telenor Amendment*, Attachment A at 18.<sup>6</sup> While Telenor is correct when it states that the Commission rule requiring Fixed Satellite Service (“FSS”) satellites to operate with  $\pm 0.05^\circ$  East-West station keeping does not apply to MSS satellites, it is incorrect when it implies that this is settled law.<sup>7</sup> In acting on MSV’s application to operate an MSS satellite with  $\pm 0.1^\circ$  East-West station keeping, the Bureau held that MSV was required to justify a waiver of the rule requiring FSS satellites to operate with  $\pm 0.05^\circ$  East-West station keeping.<sup>8</sup> MSV has sought reconsideration of this decision, asking the Bureau to clarify that the rule requiring FSS satellites to operate with  $\pm 0.05^\circ$  East-West station-keeping does not apply to MSS satellites.<sup>9</sup> This proceeding is pending. To the extent the Bureau approves of the operation of Inmarsat 3F2 and 3F3 for service in the United States with  $\pm 0.1^\circ$  East-West station keeping without seeking a waiver, the Bureau must afford similar treatment to other MSS satellites proposing to serve the U.S. market, such as MSV-1. Conversely, if the Bureau on reconsideration of the *MSV-1 Order* upholds its decision that MSS satellites are required to comply with  $\pm 0.05^\circ$  East-West station-keeping, the Telenor application must be dismissed for failing to seek a waiver of this rule.<sup>10</sup>

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<sup>6</sup> While the Commission previously approved of the operation of the Inmarsat 3F2 and Inmarsat 3F3 satellites in the United States in 2001, neither the earth station applicants nor Inmarsat at the time provided information regarding the station keeping of these satellites or other critical information.

<sup>7</sup> *Telenor Application*, Attachment A at 18; see 47 C.F.R. § 25.210(j).

<sup>8</sup> See *Mobile Satellite Ventures Subsidiary LLC, Order and Authorization*, DA 05-1492 (May 23, 2005), at ¶ 21.

<sup>9</sup> See MSV, *Petition for Clarification and Partial Reconsideration*, File Nos. SAT-LOA-19980702-00066 et al (June 22, 2005).

<sup>10</sup> See Letter from Thomas S. Tycz, FCC, to John K. Hane, Pegasus Development Corporation, DA 03-3665 (November 19, 2003) (dismissing application for failing to seek waiver of Commission’s East-West station-keeping rule).

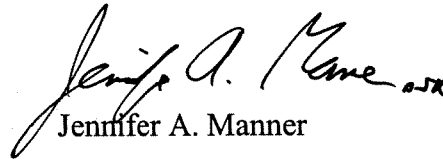
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Please contact the undersigned with any questions.

Very truly yours,


A handwritten signature in black ink, appearing to read "Jennifer A. Manner". The signature is written in a cursive style with a large initial "J".

Jennifer A. Manner

## CERTIFICATE OF SERVICE

I, Sylvia A. Davis, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 24th day of August 2006, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

Keith H. Fagan  
Telenor Satellite, Inc.  
1101 Wootton Parkway  
10<sup>th</sup> Floor  
Rockville, MD 20852

  
Sylvia A. Davis