

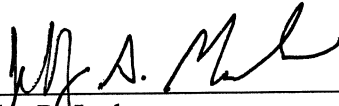
In the matter of)
) File No. SES-AMD-20070723-00978
TerreStar Networks Inc.) File No. SES-AMD-20070907-01253

³ *Id.* at 5.

suggestion that providing a copy of a construction contract for a spare satellite, or certifying to the scheduled completion date, would be a “conclusive demonstration” of compliance with the ground spare gating criterion.⁴ Indeed, the Commission expressly “reserve[d] the right to require additional detail and certainty.”⁵ Consistent with Commission precedent in the milestone context, the Commission should look beyond the assertions made by TerreStar and carefully review a complete, unredacted copy of the construction contract⁶ in order to make its own conclusions about the adequacy of TerreStar’s efforts toward satisfying the ground spare gating criterion. Furthermore, the Commission should review the actual progress made by the manufacturer toward completing construction in a timely fashion (not just information on payments made). In this way, the Commission can confirm whether TerreStar will in fact soon satisfy the ground spare gating criterion.

Respectfully submitted,

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⁴ *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band*, 20 FCC Rcd 4616, 4649-50, ¶¶ 88-90 & n.211 (2005).

⁵ *Id.*

⁶ The version of the contract that TerreStar cross-references is heavily redacted, omitting literally hundreds of pages in the aggregate.

CERTIFICATE OF SERVICE

I, Jeffrey A. Marks, hereby certify that on this 20th day of May, 2008, I caused to be served a true copy of the foregoing Reply by first class mail, postage prepaid, upon the following:

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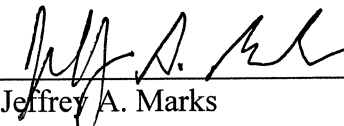
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