

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

WASHINGTON HARBOUR, SUITE 400

3050 K STREET, NW

WASHINGTON, D.C. 20007-5108

(202) 342-8400

FACSIMILE

(202) 342-8451

www.kelleydrye.com

NEW YORK, NY
TYSONS CORNER, VA
CHICAGO, IL
STAMFORD, CT
PARSIPPANY, NJ
BRUSSELS, BELGIUM

AFFILIATE OFFICES
MUMBAI, INDIA

DIRECT LINE: (202) 342-8573

EMAIL: jgriffin@kelleydrye.com

March 10, 2009

VIA IBFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445-12th Street NW.
Suite TW-A325
Washington, D.C. 20554

Re: Comtech Mobile Datacom Corporation
Application to modify existing L-band blanket MET license
File No. SES-MFS-20070530-00731 as amended by File Nos. SES-AMD-
20070731-01010 and SES-AMD-20070907-01251; E990143

Attn: Scott Kotler
Chief, System Analysis Branch
International Bureau, Satellite Division

Jay Whaley
International Bureau, Satellite Division

Dear Ms. Dortch:

In the application captioned above, Comtech Mobile Datacom Corporation (“Comtech”) requests authority to modify its existing L-band blanket MET license to add lower L-band frequencies, new antennas, and an additional point of communication, MSAT-2. As part of this application, Comtech requests a waiver of footnotes US308 and US315 to the U.S. Table of Frequency Allocations and Section 25.136(d) of the Commission’s Rules.¹ This waiver request is necessitated by the fact that Comtech’s METs do not always satisfy NTIA’s interpretation of the real time access and priority preemption requirements in footnotes US308

¹ See Exhibit B to FCC Form 312, Schedule B, in File No. SES-AMD-20070907-01251.

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and US315, as Comtech's terminals are not always able to cease transmission within one second.² It is Comtech's understanding that as a result of this waiver request, the Commission plans to act on Comtech's application by written order.

By its attorney and assuming the Commission will grant Comtech's application and waiver request, Comtech submits this letter to request certain language in the ordering clauses of the Commission's order. Specifically, Comtech requests that the ordering clauses provide that notwithstanding any provision in the order possibly to the contrary, Comtech may make minor modifications to its blanket MET license as allowed by and in accordance with Section 25.118 of the FCC Rules post-grant. Section 25.118 provides that earth station licensees may make certain minor modifications to their licensed facilities at their own risk and without prior FCC approval as long as they comply with the applicable requirements in Section 25.118. In most instances, Section 25.118 requires only that notice be provided to the Commission within 30 days after the modification is made. Thus, Section 25.118 eliminates the requirement to obtain prior Commission approval for the minor modifications specified in the rule.

Comtech is making this request because language in certain orders granting blanket MET license applications and requests for waivers of the real-time priority and preemption requirements, most notably the *MSV*,³ *Richtec*,⁴ and *Vistar*⁵ orders, appear to restrict the licensees' ability to make minor modifications in accordance with the provisions of Section 25.118. Each of these orders contains ordering clauses that limit grant of the requested waiver to the specific METs described in the application, and/or prohibit the licensee from operating its METs or using the assigned frequencies "in any manner other than authorized herein." Comtech notes that more recent orders granting blanket MET license applications and requests for waivers of the real-time priority and preemption requirements, in particular *Amtech Systems*⁶ and *Geologic Solutions*,⁷ do not appear to have the same restrictions. Rather, these orders grant the requested waivers without reference to the specific METs in the licensee's application and obligate the licensee to satisfy the real-time priority and preemption requirements set forth in its application.

² See Letter from Joan M. Griffin, Counsel, Comtech, to Marlene H. Dortch, Secretary, FCC, filed Oct. 3, 2008, in File No. SES-AMD-20070907-01251 ("*October 2008 Letter*").

³ See *Mobile Satellite Ventures Subsidiary LLC*, 19 FCC Rcd 4672, 4676 (2004) ("*MSV*").

⁴ See *Richtec Inc.*, 18 FCC Rcd 3295, 3301 (2003) ("*Richtec*").

⁵ See *Vistar Data Communications, Inc.*, 17 FCC Rcd 12,899, 12,904 (2002) ("*Vistar*").

⁶ See *Amtech Systems, LLC*, 22 FCC Rcd 977, 981-982 (2007) ("*Amtech Systems*").

⁷ See *Geologic Solutions, Inc.*, 21 FCC Rcd 6249, 6253-6254 (2006) ("*Geologic Solutions*").

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Grant of this request will serve the public interest. Once the FCC has granted Comtech's application and waiver request, the minor modification provisions in Section 25.118 will provide an easier, cheaper, and faster way for Comtech to keep its license up-to-date and stay in compliance with the Commission's rules. Also, Comtech's use of the modification mechanisms in Section 25.118 to make minor modifications will greatly minimize the burdens on FCC staff without increasing the potential for interference by eliminating needless modification applications.

Please direct any questions as to this matter to the undersigned counsel.

Respectfully submitted,

Comtech Mobile Datacom Corporation

A handwritten signature in black ink, appearing to read "Joan M. Griffin", is written over a horizontal line.

Joan M. Griffin
Its Attorney