

ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FILED/ACCEPTED

MAY 15 2008

Federal Communications Commission  
Office of the Secretary

In the Matter of	)	
	)	
Application of TerreStar Networks Inc.	)	File Nos. SES-AMD-20070907-01253
To Amend its Mobile Earth Terminal	)	SES-AMD-20070723-00978
Application to Request Authority to	)	
Operate an Ancillary Terrestrial	)	
Component In Connection with its	)	
2 GHz Mobile Satellite Service System	)	

**REQUEST TO MODIFY EX PARTE STATUS TO  
PERMIT-BUT-DISCLOSE**

In the above-captioned proceeding, TerreStar Networks Inc. ("TerreStar") has requested authority to operate ancillary terrestrial component ("ATC") facilities as part of its 2 GHz mobile satellite service ("MSS") system and has requested waivers of certain ATC technical rules. TerreStar hereby requests that the International Bureau modify the *ex parte* status of the proceeding from "restricted" to "permit-but-disclose," pursuant to Section 1.1200(a) of the Commission's rules,<sup>1</sup> so that TerreStar and other interested parties may communicate directly with Commission staff, subject to the disclosure rules for permit-but-disclose proceedings.

---

<sup>1</sup> 47 C.F.R. § 1.1200(a).

At present, this proceeding is classified as “restricted” under the Commission’s *ex parte* rules.<sup>2</sup> Under the Commission’s rules, however, “the Commission and its staff retain the discretion to modify the applicable *ex parte* rules” in cases in which “the public interest so requires.”<sup>3</sup>

There is ample precedent for reclassifying satellite application proceedings as permit-but-disclose.<sup>4</sup> Grant of the instant request would harmonize the *ex parte* status of this proceeding with the *ex parte* status of these other satellite application proceedings and would facilitate discussions with Commission staff concerning the merits of TerreStar’s ATC requests.

For the foregoing reasons, the International Bureau should modify the *ex parte* status of the above-captioned proceeding to permit-but-disclose. The other parties to this proceeding - New ICO Satellite Services G.P., Association for Maximum Service Television, Inc./ National Association of Broadcasters,

---

<sup>2</sup> The proceedings identified as exempt and permit-but-disclose in the Commission’s *ex parte* rules do not encompass applications for ATC authority. Such modification applications, therefore, are considered restricted proceedings. See 47 C.F.R. § 1.1208.

<sup>3</sup> 47 C.F.R. § 1.1200(a).

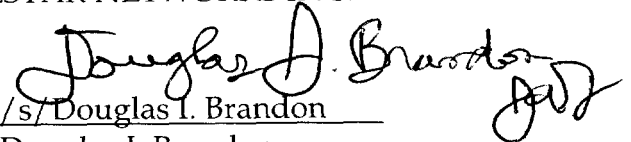
<sup>4</sup> See, e.g., *In the Matter of New ICO Satellite Services G.P., Motion to Designate Proceeding as “Permit-but-Disclose,”* File No. SAT-MOD-20061109-00137, Grant Stamp of Motion to Designate Proceeding as “Permit-But-Disclose” (Nov. 16, 2006); Public Notice, “Satellite Communications Services,” Rep. No. SES-00590, March 25, 2004 (modifying *ex parte* status of DIRECTV Enterprises LLC blanket earth station application); Public Notice, Rep. No. SAT-00125 (Oct. 30, 2002) (modifying *ex parte* status for ICO and Lockheed Martin satellite application proceedings); Public Notice, “International Bureau Satellite Policy Branch Information: Echo Star Satellite Company Application for Authority to Make Minor Modifications to Direct Broadcast Satellite Authorization, Launch and Operational Authority,” Rep. No. SPB-159, DA 00-1630 (July 21, 2000).

Inmarsat Global Limited, and Sprint Nextel Corporation - have authorized the undersigned to state that they have no objection to modifying the *ex parte* status of this proceeding as requested herein.

Respectfully submitted,

TERRESTAR NETWORKS INC.

By:

  
/s/ Douglas I. Brandon

Douglas I. Brandon  
Vice President for Regulatory  
Affairs  
TerreStar Networks Inc.  
12010 Sunset Hills Road  
Reston, VA 20191  
(703) 483-7800

OF COUNSEL:

Joseph A. Godles  
GOLDBERG, GODLES, WIENER  
& WRIGHT  
1229 Nineteenth Street, N.W.  
Washington, DC 20036  
(202) 429-4900  
*Counsel for TerreStar Networks, Inc.*

May 15, 2008

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of May, 2008, a true and correct copy of the foregoing **REQUEST TO MODIFY EX PARTE STATUS TO PERMIT-BUT-DISCLOSE** was sent via electronic delivery to each of the following:

David L. Donovan  
Bruce Franca  
Association for Maximum Service Television, Inc.  
4100 Wisconsin Ave., NW  
Washington, DC 20016

Marsha J. McBride  
Lawrence A. Walke  
National Association of Broadcasters  
1771 N Street, NW  
Washington, DC 20036

Jonathan D. Blake  
Brandon D. Almond  
Covington & Burling LLP  
1201 Pennsylvania Ave., NW  
Washington, DC 20004-2401

Lawrence R. Krevor  
Vice President, Government Affairs - Spectrum  
Trey Hanbury  
Director, Government Affairs  
Sprint Nextel Corporation  
2001 Edmund Halley Drive  
Reston, VA 20191

Regina M. Keeney  
Charles W. Logan  
Stephen J. Berman  
Lawler, Metzger, Milkman & Keeney, LLC  
2001 K Street NW, Suite 802  
Washington, DC 20006

Suzanne Hutchings Malloy  
Peter Corea  
New ICO Satellite Services G.P.  
815 Connecticut Ave., NW, Suite 610  
Washington, DC 20006

Diane J. Cornell  
Vice President, Government Affairs  
Inmarsat, Inc.  
1101 Connecticut Ave., NW, Suite 1200  
Washington, DC 20036

John P. Janka  
Jeffrey A. Marks  
Latham & Watkins LLP  
555 Eleventh Street, NW, Suite 1000  
Washington, DC 20004

  
/s/ Jennifer Tisdale  
Jennifer Tisdale