

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

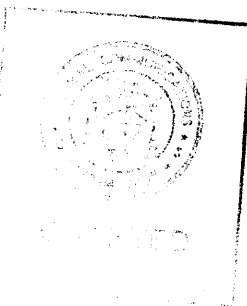
In the Matter of)
)
Application of TerreStar Networks Inc.) File Nos. SES-AMD-20070907-01253
To Amend its Mobile Earth Terminal) SES-AMD-20070723-00978
Application to Request Authority to)
Operate an Ancillary Terrestrial)
Component In Connection with its)
2 GHz Mobile Satellite Service System)

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,¹ so that TerreStar and other interested parties may communicate directly with Commission staff, subject to the disclosure rules for permit-but-disclose proceedings.

Permit - But - Disclose

¹ 47 C.F.R. § 1.1200(a).



File # _____

Call Sign _____ Grant Date May 20, 2008
(or other identifier)

Term Dates
From May 20, 2008 To: length of period

Approved: [Signature]
Policy Branch Chief

Attachment
May 20, 2008

The request of TerreStar Networks Inc. (TerreStar) to designate the proceeding pertaining to its application for authority for operation of Ancillary Terrestrial Component facilities in portions of the 2 GHz Mobile Satellite Service bands as "permit-but-disclose" for purposes of the Commission's rules governing *ex parte* communications IS GRANTED. Request to Modify Ex Parte Status to Permit-But-Disclose, filed by TerreStar Networks Inc. on May 15, 2008. TerreStar certified in the Request that the other parties to the proceeding were aware of the Request and had no objection to it. We find that designating this application proceeding as "permit-but-disclose" will facilitate resolution of the complex policy issues raised by the application. We therefore designate the above-captioned proceeding as "permit-but-disclose," effective May 20, 2008. See 47 C.F.R. §§ 1.1200(a), 1.1206 and 1.1208 note 2. This action is without prejudice to any determination regarding the processing of the application.

Permit - But - Disclose



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Policy Branch Chief

At present, this proceeding is classified as “restricted” under the Commission’s *ex parte* rules.² 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.”³

There is ample precedent for reclassifying satellite application proceedings as permit-but-disclose.⁴ 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,

² 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.

³ 47 C.F.R. § 1.1200(a).

⁴ 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
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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:

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