



WASHINGTON, DC

DAVID S. KEIR
202.416.6742
DKEIR@LERMANCENTER.COM

June 30, 2009

SUBMITTED ELECTRONICALLY

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

**Re: Applications of Row 44, Inc. (Call Sign E080100);
File Nos. SES-LIC-20080508-00570, SES-AMD-20080619-00826, SES-
AMD-20080819-01074, SES-AMD-20080829-01117, SES-AMD-
20090115-00041, and SES-AMD-20090416-00501**

Dear Ms. Dortch:

This letter is submitted on behalf of Row 44, Inc., in connection with its above-referenced application, to inform the International Bureau and Satellite Division staff that Row 44 provided on the evening of June 26, 2009, the first day that Row 44 itself received a copy, a complete and unredacted electronic copy of the ViaSat, Inc. ("ViaSat") letter, dated June 23, 2009/filed June 24, 2009, to each of the individuals identified below, each an employee of EchoStar Corporation, Intelsat, or SES Americom, Inc., (collectively "Satellite Operators") --

Tom Baruta (SES)
Krish Jonnalagadda (SES)
Daniel Mah (SES)
Joslyn Read (SES)
Aaron Shourie (SES)

Jose Albuquerque (Intelsat)

Dale Bailey (EchoStar)
David Bair (EchoStar)
Scott Gebers (EchoStar)
Don Green (EchoStar)
Darren Hamilton (EchoStar)
Ed Petruzzelli (EchoStar)
Terry Smith (EchoStar)

See attached email confirmation. The ViaSat letter responds to test reports filed by Row 44 with the FCC on April 13 and May 11, 2009, both of which were provided to ViaSat pursuant to an FCC Protective Order on May 14, 2009. By providing a copy of the ViaSat letter to each of the Satellite Operators, Row 44 hopes to facilitate their review of the letter in order that this

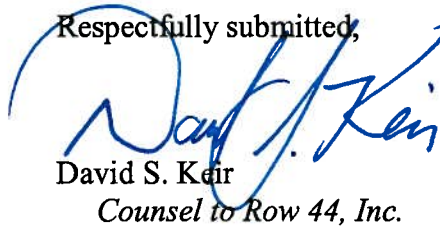


Ms. Marlene Dortch
June 30, 2009
Page 2 of 2

proceeding can be resolved expeditiously. The Satellite Operators are each party to the February 6, 2009 letter agreement concerning flight testing of the Row 44 aeronautical mobile-satellite service system, which includes a non-disclosure provision. *See Row 44, Inc.*, STA Order and Authorization, DA 09-585, slip op. at 2 (¶ 4) & n.4 (Sat. Div., rel. March 13, 2009) (referencing the February 6, 2009 letter agreement). Accordingly, no additional protective order was or is required to permit immediate review by these individuals of the ViaSat filing and any proprietary information contained therein.

Should there be any questions regarding this matter, please contact the undersigned counsel.

Respectfully submitted,



David S. Kair

Counsel to Row 44, Inc.

cc: John Giusti
Rod Porter
Bob Nelson
Fern Jarmulnek
Steve Spaeth
Karl Kensinger
Stephen Duall

Kathryn Medley
Frank Peace
Gardner Foster
William Bell
Sophie Arrington
Trang Nguyen
Jeanette Spriggs

Tom Baruta (SES)
Krish Jonnalagadda* (SES)
Daniel Mah (SES)
Joslyn Read (SES)
Aaron Shourie (SES)

Dale Bailey (EchoStar)
David Bair* (EchoStar)
Scott Gebers (EchoStar)
Don Green (EchoStar)
Darren Hamilton (EchoStar)
Ed Petruzzelli (EchoStar)
Terry Smith (EchoStar)

Jose Albuquerque* (Intelsat)

John Janka and Jarrett Taubman*
Counsel to ViaSat, Inc.

All courtesy copies sent electronically, except those marked *, served both electronically and by mail.

Keir, David S.

From: Microsoft Exchange
To: 'Daniel.Mah@ses.com'; 'joslyn.read@ses-newskies.com'; 'Aaron.Shourie@ses-americom.com'; 'Krish.Jonnalagadda@ses-americom.com'; 'Tom.Baruta@ses.com'; 'Albuquerque, Jose'; 'Bair, David'; 'Petruzzelli, Ed'; 'Scott.Gebers@echostar.com'; 'Darren.Hamilton@echostar.com'; 'Terry.Smith@echostar.com'; 'Dale.Bailey@echostar.com'; 'Don.Green@echostar.com'; 'jbcostello@cox.net'
Sent: Friday, June 26, 2009 7:26 PM
Subject: Relayed: ViaSat Response to Row 44 Test Reports

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

'Daniel.Mah@ses.com'

'joslyn.read@ses-newskies.com'

'Aaron.Shourie@ses-americom.com'

'Krish.Jonnalagadda@ses-americom.com'

'Tom.Baruta@ses.com'

'Albuquerque, Jose'

'Bair, David'

'Petruzzelli, Ed'

'Scott.Gebers@echostar.com'

'Darren.Hamilton@echostar.com'

'Terry.Smith@echostar.com'

'Dale.Bailey@echostar.com'

'Don.Green@echostar.com'

'jbcostello@cox.net'

Subject: ViaSat Response to Row 44 Test Reports

Sent by Microsoft Exchange Server 2007