



WASHINGTON, DC

DAVID S. KEIR  
202.416.6742  
DKEIR@LERMANCENTER.COM

May 6, 2011

**VIA IBFS**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Application of Panasonic Avionics Corporation; FCC File Nos. SES-LIC-20100805-00992, SES-AMD-20100914-0116, SES-AMD-20101115-01432, SES-AMD-20110325-00358 and SES-AFS-20110405-00402 (Call Sign E100089)**

Dear Ms. Dortch:

Row 44, Inc. (“Row 44”) hereby comments on the most recent of the above-referenced amendments to the pending aeronautical mobile-satellite service (“AMSS”) Earth station application of Panasonic Avionics Corporation (“PAC”).<sup>1</sup> These amendments respectively seek (1) to increase from 15 to 50 the number of aeronautical mobile earth terminals covered by the requested FCC license (SES-AMD-20110325-00358) and (2) to remove the Telstar 14 satellite as an authorized point of communication (SES-AFS-20110405-00402).<sup>2</sup>

In the cover letter accompanying the first of the two recent amendments, counsel to PAC states that the amendment “is prompted by the projected installation schedule for Panasonic’s launch customer, Lufthansa.”<sup>3</sup> The letter goes on to state that the amendment is “minor ... because it does not increase the potential for interference, or change the proposed frequencies or orbital locations to be used.”<sup>4</sup>

---

<sup>1</sup> See FCC Public Notice, Satellite Radio Applications Accepted for Filing, Report No. SES-01335 (April 6, 2011).

<sup>2</sup> Row 44 filed a Petition with respect to the underlying application on October 15, 2010.

<sup>3</sup> Letter from Carlos M. Nalda, Counsel to PAC, to Satellite Division, International Bureau, FCC, at 1 (dated March 25, 2011).

<sup>4</sup> *Id.*



Row 44 has evaluated the two amendments and does not contest PAC's conclusion that the modest increase in the number of terminals proposed for simultaneous deployment within the United States would not tend to increase interference to other band users. Unfortunately, PAC's recent amendments fail to address the existing deficiencies that persist in the underlying application, which does not yet include all information required by the FCC's rules to confirm that harmful interference will not occur in the first instance. Given the significant number of outstanding issues in this proceeding, one might have expected the applicant to attempt resolution of these matters prior to seeking authority to expand the scope of its operations.

As previously outlined, PAC has not yet submitted a complete set of off-axis EIRP spectral density plots along the GSO arc or complete antenna gain data with respect to maximum antenna skew conditions. *See, e.g.*, Consolidated Reply of Row 44 at 7-9 & 10-11 (filed December 1, 2010). PAC has also thus far declined to provide critical details concerning how its system can achieve sufficient antenna pointing accuracy to comply with requirements that apply to MSS Earth stations operating in the Ku-band Fixed-Satellite Service. *Id.* at 11-15. Finally, the PAC application lacks an explanation of the distinct operation of the iDirect modem in conjunction with the MELCO antenna, and the manner in which the system establishes when transmitter muting must occur. *Id.* at 15.

Regrettably, as indicated by its reference to the "projected installation schedule" for its principal customer, PAC seems more interested in meeting its anticipated in-service dates than in ensuring that its operations will comply with the FCC's legal and technical requirements. Accordingly, the Bureau should decline to act on the PAC application, as amended, until its remaining deficiencies have been satisfactorily addressed.

Respectfully submitted,

*s/ David S. Keir*

David S. Keir

*Counsel to Row 44, Inc.*

cc: Carlos M. Nalda, Counsel to PAC  
Stephen Duall, FCC (via email)  
Paul Blais, FCC (via email)