

Comtech Mobile Datacom Corporation

October 2021 Amendment

to

ROUS (E090027) September 25, 2019 Modification Application

(File #SES-MOD-20190925-01207)

Update to Exhibit C

There are no changes to Exhibit C as originally submitted in September, 2019.

(Copy of 2019 Exhibit C for reference.)

ROUS (E090027) Modification Application – September 25, 2019**Information Required by Section 25.137
on Non-U.S. Licensed Satellite – Item 42a**

Comtech Mobile Datacom Corporation (“CMDC”) currently operates mobile earth terminals (“METs” or “MESS”) pursuant to its existing blanket license, E090027 (the “ROUS” license), via the satellites on the ISAT list MSAT-1. The Inmarsat satellites on the ISAT list are licensed by the United Kingdom. Accordingly, in this exhibit, CMDC provides the information required by Section 25.137 of the Commission’s Rules.

Section 25.137(a) – Competitive Opportunities

Because the Inmarsat satellites on the ISAT list and MSAT-1 operate pursuant to licenses granted by foreign countries, the Commission will evaluate this application under its *DISCO II* framework.¹ The United Kingdom is a member of the WTO, and CMDC will use the Inmarsat satellites to provide mobile satellite service covered by the WTO Basic Telecommunications Agreement. Similarly, Canada is a member of the WTO, and CMDC will use MSAT-1 to provide mobile satellite service covered by the WTO Basic Telecommunications Agreement. Accordingly, CMDC’s request to access the Inmarsat satellites and MSAT-1 with its terminals is entitled to a presumption in favor of entry, and CMDC is not required to make the effective competitive opportunities demonstration set forth in Section 25.137(a) of the Commission’s Rules. CMDC notes that in the *Inmarsat Market Access Order*, the Commission concluded that its “finding that Inmarsat had privatized consistent with the provisions of the ORBIT Act is largely dispositive of the traditional *DISCO II* competition analysis in this instance.”²

Section 25.137(b) – Technical Information

The information for MSAT-1 that is required by Section 25.137(b) is already on file with the Commission. See Application of CMDC in IB File No. SES-AMD-20070907-01251. CMDC is requesting renewed authority to operate on all satellites on the ISAT list pursuant to the *Inmarsat Order*³ and thus the information required by Section 25.137(b) for satellites on the ISAT list is already on file with the Commission.

Section 25.137(d) – Additional Requirements

¹ See *Amendment of the Commission’s Regulatory Policies to Allow Non-U.S. Licensed Satellites Providing Domestic and International Service in the United States*, Report and Order, 12 FCC Rcd 24094 (1997) (“*DISCO II*”).

² *In the Matter of COMSAT Corporation d/b/a COMSAT Mobile Communications et al.*, 16 FCC Rcd 21661 (2001) at ¶ 62 (“*Inmarsat Market Access Order*”).

³ *Inmarsat, Inc.*, Order, DA 08-2323, 23 FCC Rcd 15268 (Int’l Bur. rel. Oct. 21, 2008) (“*Inmarsat Order*”).

ROUS (E090027) Modification Application – September 25, 2019

The information required by this section regarding compliance with milestone requirements, reporting requirements, other service rules, and bond requirements is a matter of record before the Commission for both MSAT-1 and the Inmarsat satellites on the ISAT list.

Sections 25.137(c), (e), (f), and (g)

These sections are not applicable to this Application.