

Description and Waiver Request

This FCC Form 312 application notifies the FCC of the *pro forma* transfer of control from Falcon Video Communications, L.P., Debtor-in-Possession to Falcon Video Communications, L.P. of the receive-only earth station operating under call sign E090183. Due to an inadvertent oversight, the applicants failed to file a consummation notice with the Commission upon assigning the subject earth station on November 30, 2009. Therefore, to the extent necessary, the applicants respectfully request that the Commission waive the timing requirements of 47 C.F.R. § 25.119(f) and accept this late-filed application. Under 47 C.F.R. § 1.3, the Commission may suspend, revoke, amend, or waive any of its rules upon a showing of good cause and where grant of the waiver will serve the public interest. Good cause exists because, in this case, strict application of the rule would prevent the applicants from filing notice of consummation as required by the FCC. This in turn would undermine the purpose of the rule—to ensure that the Commission's databases are complete and accurate. Finally, the public interest is best served by granting this waiver given that the oversight was inadvertent and ultimate control of the authorization has not changed.