

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re Application of:)
)
)
GLENTEL CORP.) File No.:
) SES-LIC-20030502-00572
)
_____)

To: Chief, International Bureau

**PETITION TO ADOPT CONDITIONS TO
AUTHORIZATION AND LICENSE**

The Federal Bureau of Investigation (“FBI”), on behalf of itself, the United States Department of Justice (“DOJ”), and the United States Department of Homeland Security (“DHS”), through the undersigned officials, respectfully submits this Petition to Adopt Conditions to Authorization and License (“Petition”), pursuant to Section 1.41 of the Federal Communications Commission’s (“FCC” or “Commission”) rules.¹

Through this Petition, we are advising the Commission that the above-referenced government entities have no objection to the Commission granting the relief requested in the application filed in the above-referenced matter (the “requested relief”), provided that the Commission conditions the grant of the requested relief on compliance by Glentel Corp. (“Glentel”), with the commitments set forth in the letter to Laura H. Parsky, Deputy Assistant Attorney General, dated June, 9, 2004 and effective on July 27, 2004 (hereinafter “the Glentel Agreement”), a copy of which is attached hereto as Exhibit 1. The Glentel Agreement includes Exhibit A, which is a proposed “Condition to FCC License.” Also attached, by way of further

¹ 47 C.F.R. § 1.41 (2003).

clarifying the Glentel Agreement, is Exhibit 2, a Supplement to the existing agreement with Mobile Satellite Ventures LLC and certain other companies.

The background of this matter, as described in Exhibit 1, involves the request of Glentel for blanket authority to operate up to 50,000 mobile earth terminals that will communicate with MSAT-1, a Canadian-licensed satellite, and AMSC-1, a U.S.-licensed satellite. Both satellites are operated by Mobile Satellite Ventures Subsidiary LLC, which is a wholly owned subsidiary of Mobile Satellite Ventures L.P. (referred to herein collectively as “MSV”). MSV previously entered into an agreement intended to address certain law enforcement, public safety and national security concerns, and the Commission agreed to adopt that agreement as a condition to its grant of licensing authority. Both the Glentel Agreement (Exhibit 1), and the Supplement agreed to with MSV and certain other companies (Exhibit 2), are intended to further address these concerns.

As the Commission is aware, the DOJ (including the FBI) and DHS have taken the position that their ability to satisfy their obligations to protect the national security, enforce the laws, and preserve the safety of the public could be impaired by transactions in which foreign entities will own or operate a part of the U.S. telecommunications system, or in which foreign-located facilities will be used to provide domestic telecommunications services to U.S. customers. In part because Glentel will use facilities located outside the United States to provide domestic telecommunications services to U.S. customers, the parties have entered into the above-referenced agreements reflecting certain commitments. The DOJ and DHS have concluded that those commitments are sufficient to ensure that government entities with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed in a legal, secure, and confidential manner to satisfy these responsibilities.

Accordingly, the FBI on behalf of itself and the DOJ, and the DHS, hereby advise that they have no objection to the Commission granting the requested relief, provided that the Commission conditions its grant on compliance by Glentel with the commitments set forth herein.

Respectfully submitted,

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Dated: July 30, 2004

/s/ TINA W. GABBRIELLI
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Dated: July 30, 2004