

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
MEDIA NETWORKS SERVICES USA INC.)	File No. SES-LIC-20130219-00188
)	
Application for Transmit/Receive Satellite Earth)	
Station License)	

**Media Networks Services USA Inc.’s Response
to Petition to Hold in Abeyance Pending Clarification and Petition to Dismiss**

Pursuant to Commission Rule 1.45(b), Media Networks Services USA Inc. (“MN USA”) hereby submits this response to the Petition to Hold in Abeyance Pending Clarification (“Petition to Hold in Abeyance”) filed by Ob3 Limited (“Ob3”) and the Petition to Dismiss filed by Iridium Satellite LLC (“Iridium”), each filed with the Federal Communications Commission (the “Commission”) on April 19, 2013, with regard to MN USA’s above-captioned application (the “Application”).¹ As background and in support of this response, MN USA states as follows:

1. MN USA filed its Application on February 19, 2013, seeking a license for a transmit/receive satellite earth station that would communicate with U.S.-licensed satellites that are on the Ka-band Permitted Space Station List.² On March 20, 2013, the Commission accepted the Application for filing and it was placed on Public Notice.³

2. In the Petition to Hold in Abeyance, Ob3 stated, in sum, that its request that the Application be held in abeyance pending an additional submission by MN USA was limited to

¹ On April 30, 2013, MN USA filed a motion for an extension of time to respond to the petitions of O3b and Iridium and requested that the response deadline be extended to May 17, 2013. Representatives from O3b and Iridium did not object to MN USA’s request for a deadline extension.

² Application at 2.

³ Commission Public Notice Report No. SES-01536 at 2 (March 20, 2013).

the portion of the Application relating to the 18.8-19.3 GHz, 28.1-28.35 GHz and 28.6-29.25 GHz bands.⁴ O3b did not object to the portions of the Application related to the 18.3-18.8 GHz, 19.7-20.2 GHz, 28.35-28.6 GHz and 29.25-30.0 GHz bands.⁵

3. In the Petition to Dismiss, Iridium objected to the proposed use of the 19.4-19.6 GHz and 29.1-29.25 GHz bands on the grounds that GSO FSS operations are not provided for in these bands; and to the proposed use of the 29.25-29.3 GHz band on the grounds that MN USA had not made the necessary showing to use the band under Section 25.203(k) of the Commission's rules.⁶ Iridium did not object to any other aspect of the Application.

4. MN USA will amend its Application in the near future in a manner that fully resolves the objections stated in both petitions. MN USA will formally submit its amendment to the Application as soon as possible following its compilation of the required information.

5. In the Petition to Dismiss, Iridium objected to MN USA's Application only to the extent it included proposed use of the following frequency bands: 19.4-19.6 GHz; 29.1-29.25 GHz and 29.25-29.3 GHz.⁷ In its Application, MN USA stated that it proposed to communicate using the Ka band but also loosely identified that band as the 18.3-30.0 GHz band which, strictly speaking, includes certain frequency bands that are not Ka-band spectrum.⁸ The amendment will clarify that MN USA intends to use only Ka-band spectrum by deleting, among others, the frequency bands identified in Iridium's petition from the Application. Specifically, MN USA will amend the Application to clarify that it is limited to a request to use only the following

⁴ Petition to Hold in Abeyance at 1.

⁵ *Id.* at 3.

⁶ Petition to Dismiss at 3-4.

⁷ Petition to Dismiss at 1.

⁸ Application at 2 and 6.

frequency bands: 18.3–18.8 GHz; 19.7–20.2 GHz; 28.10–28.6 GHz; and 29.5–30.0 GHz. Accordingly, the sole basis for Iridium’s objections will be rendered moot by MN USA’s forthcoming amendment and, upon the filing of the amendment, Iridium’s Petition to Dismiss should be denied.

6. Ob3 objected only to the portion of the Application relating to the 18.8-19.3 GHz, 28.1-28.35 GHz and 28.6-29.25 GHz bands.⁹ As discussed in paragraph 5 above, MN USA’s clarification will resolve Ob3’s objection to the 18.8-19.3 GHz and 28.6-29.25 GHz bands. Thus, the only objection by O3b that will not be resolved by MN USA’s clarification will be O3b’s objection to MN USA’s proposed use of the 28.10–28.35 GHz band. O3b’s objection as to this particular band is that MN USA has not identified the point of communication it intends to use.¹⁰ In response, MN USA hereby states that it intends to use the Amazonas-3 satellite¹¹ as the sole point of communication for the 28.10–28.35 GHz frequency band and that its forthcoming amendment will reflect that intention. Moreover, MN USA notes that Hispamar’s request for inclusion of Amazonas-3 on the Ka-band Permitted List identifies use of this band on a secondary basis.¹² MN USA’s Application also limits use of that band on a secondary basis.¹³

⁹ O3b Petition at 3.

¹⁰ *Id.* at 2, Point 1.

¹¹ The Amazonas 3 satellite is licensed in Brazil to Hispamar Satelites, S.A. (“Hispamar”), is located at the 61 degrees W.L. orbital slot and has a request pending for inclusion on the FCC’s Ka band Permitted List. *See File No. SAT-MPL-20130319-00049 Hispamar Satelites, S.A. Modified Petition for Declaratory Ruling to Add Amazonas-3 Satellite at 61° W.L. to the Commission’s Ka-band Permitted Space Station List.*

¹² *See File No. SAT-PPL-20121018-00183 Hispamar Satelites, S.A. Petition for Declaratory Ruling to Add Amazonas-3 Satellite at 61° W.L. to the Commission’s Ka-band Permitted Space Station List, Completed Schedule S Attachment, Section 25.114(c) Technical Information at 2-3* (stating that authority is sought to use the 28.1-28.35 GHz band “to support gateway uplink operations on a secondary basis”); *see also* 47 C.F.R. § 25.202(a)(1) (designating FSS secondary to LMDS in 27.5-28.35 GHz band).

¹³ Application Exhibit C (Frequency Coordination Report) at 1 (stating that notification to LMDS incumbents “was performed under the assumption that the earth station would be operating on a secondary basis to LMDS [27.50-28.35 GHz band] operations”).

7. As explained in the clarifying statements MN USA has provided in this Response (i.e., specification of the frequency bands it proposes to use and identification of the Amazonas-3 satellite as the point of communication for use in the 28.10–28.35 GHz band), the formal submission of its amendment will fully and conclusively resolve each of the objections contained in the petitions.

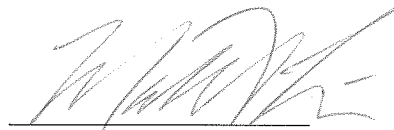
For the foregoing reasons, MN USA requests that, upon the filing of MN USA's amendment as described above, the Commission deny the petitions filed by Iridium and O3b.

Dated: May 17, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2013 a true and correct copy of the foregoing Media Networks Services USA Inc.'s Response to Petition to Hold in Abeyance Pending Clarification and Petition to Dismiss was sent by first class mail, postage prepaid, to each of the following:

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