

## REQUEST FOR WAIVER OF TEMPORARY FILING FREEZE

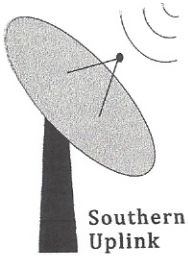
Pursuant to Section 1.925 of the Federal Communications Commission's ("FCC" or "**Commission**") rules, 1 Southern Uplink ("**Southern**"), respectfully requests that the International Bureau ("**Bureau**") waive the temporary freeze on new applications for fixed- satellite service ("**FSS**") earth station licenses in the 3.7-4.2 GHz Band ("**Filing Freeze**"). 2 As described below, granting Southern's waiver request would not undermine the objectives of the Filing Freeze, and it would serve the public interest by promoting national security, public safety, and education.

Section 1.925 of the FCC's rules permits the Commission to waive its rules on its own motion or upon request. The Commission may grant a waiver if "(i) the underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that grant of the requested waiver would be in the public interest; or (ii) in view of unique or unusual factual circumstances of the instant case, application of the rule(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative." 3 In this case, both grounds for waiver apply to Southern.

Southern will provide satellite communications connectivity for Pursuit TV to cable MSOs and Direct TV around the US and its territories. Among other things, Southern's satellite services is a vital communications broadcast link for this network based in Glenwood, AL. Pursuit TV's current Agreement to distribute programming via a teleport is about to expire in less than 90 days. Direct TV and the cable MSO's require a minimum of 30 days testing of the delivery by Southern's Uplink system.

1 47 C.F.R. § 1.925.

2 Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Stations and Fixed Microwave Stations in the 3.7-4.2 GHz Band, 90 Day Window to File Applications for Earth Stations



Currently Operating in 3.7-4.2 GHz Band, Public Notice, 33 FCC Rcd 3841 (Int. Bur. 2018) (“**Filing Freeze PN**”).

3 47 C.F.R. § 1.925(b)(3).

Southern seeks this waiver for a new FSS C-Band earth station to help continue to support the more than 42 million viewers of Pursuit TV. In addition, Pursuit TV is one of the largest employers in the area surrounding Glenwood, AL and the ability to distribute programming to these cable MSOs is critical to maintaining these jobs in Glenwood, AL. Because of the urgent requirement to transmit in the next 30 days, the Commission should view Southern's waiver request in the overall context of the unique challenges faced by this remote Alabama cable program provider. Moreover, the satellite services offered by Southern's to Pursuit TV will serve the public interest nationally.

Sincerely,

John M. Orrell