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October 1, 2019

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Viasat, Inc., Request to Derestrict, File No. SES-LIC-20190411-00503,
Call Sign E190201

Dear Ms. Dortch:

ViaSat, Inc. (“ViaSat”) respectfully requests that the Commission designate as “permit but disclose” the *ex parte* status of the above-referenced application proceeding in which ViaSat’s requests authority to operate aeronautical earth stations in the Ka band, including in the 18.8-19.3 GHz and 28.6-29.1 GHz frequencies (“Application”). The Commission has discretion to modify the application of its *ex parte* rules in any particular proceeding where, as here, the public interest warrants doing so.¹

On August 23, 2019, O3b Limited (“O3b”) filed a Petition to Defer in connection with the Application. ViaSat filed its opposition to the Petition on September 5, 2019. On September 17, 2019, O3b filed its reply. Designating the Application proceeding as “permit-but-disclose” under Section 1.1206 of the Commission’s rules, rather than “restricted” under Section 1.1208 of the rules,² will permit the parties to discuss the issues presented in the Application and the associated pleadings. Such informal *ex parte* discussions will simplify and expedite processing of the Application. The parties would of course be subject to the disclosure requirements of any *ex parte* presentations.

Moreover, the free exchange of views made possible by “permit but disclose” status would allow for a more complete record. Grant of this request would be consistent with the Commission’s precedent involving similar application proceedings in which the Commission

¹ 47 C.F.R. § 1.1200(a).

² *See id.* at §§ 1.1206 and 1.1208.

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concluded that the public interest required designation of the underlying proceeding as “permit but disclose.”³

Respectfully submitted,

/s/

Elizabeth R. Park

cc: Jose Albuquerque
Paul Blais
Will Lewis, O3b Limited
Karis Hastings, Counsel to O3b Limited

³ See, e.g., *Satellite Communications Services Information re: Actions Taken*, Public Notice, Rept. No. SES-01466 at 4 (rel. July 11, 2012) (informative release designating HNS License Sub, LLC earth station application proceedings as “permit-but-disclose” after Iridium filed a petition against the applications, in order to facilitate communications with the parties).