

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In Re Application Of)
)
SYSTEMS AND SOFTWARE ENTRPRISES, LLC) File No. SES-LIC-20190607-01790
)
)
For License for New Earth Station)
)
To: The Chief
International Bureau

**PETITION FOR RECONSIDERATION AND REINSTATEMENT
NUNC PRO TUNC**

Systems and Software Enterprises, LLC (“SSE”), the applicant for a new earth station license, by its attorneys and pursuant to Sections 1.106(f) and 25.126(c) of the Commission’s Rules, hereby petitions for reconsideration of the April 27, 2020 action of the International Bureau dismissing the above-referenced application. *Public Notice*, Report No. SES-02263, released April 29, 2020. ¹ In support thereof, SSE states as follows.

The Bureau’s action in this proceeding was premised on the basis that SSE failed to submit the required application processing fee on a timely basis. This action was incorrect, requiring its immediate reversal and the reinstatement of the application, *nunc pro tunc*. In fact, as the evidence will show herein, SSE submitted, through the federal government’s pay.gov

¹ This Petition is timely filed as it is being submitted within 30 days of the Commission’s release of the Public Notice announcing the action that it has taken.

portal, used by the Commission, the application processing fee on a timely basis.² Evidence of such payment, received from the pay.gov portal, is contained in Exhibit A hereto³.

Taking into consideration all of the circumstances presented in this matter, showing that SSE has paid the required application processing fee within the time provided for such action, the Commission's dismissal of the instant application was in error, it must be promptly reconsidered, and the application reinstated, *nunc pro tunc*, at the earliest possible time.

Respectfully submitted,

**SYSTEMS AND SOFTWARE
ENTERPRISES, LLC**

By: /s/ Barry A. Friedman
Barry A. Friedman
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Its Attorneys

Dated: May 18, 2020

² The payment occurred on June 19, 2019, 12 days after the application's submission on June 7, 2019, within the 14 days provided for in Section 1.10009(e)(4) of the rules.

³ SSE is not certain as to whether the Bureau's action arose from SSE having earlier filed and dismissed an application (File No. SES-LIC-20190604-01789) for an earth station. However, the consulting engineer who prepared and submitted the earlier application for SSE had dismissed the earlier application before submitting the instant application and confirmed her actions in oral and written communications with relevant Bureau processing staff (Exhibit B).

EXHIBIT A

From: notification@pay.gov <notification@pay.gov>
Sent: Wednesday, June 19, 2019 9:32 AM
To: Dave Gibson; Mirna Cowo
Subject: Pay.gov Payment Confirmation: Remittance Advice

Your payment has been submitted to Pay.gov and the details are below. If you have any questions or wish to cancel this payment, you will need to contact FCC Financial Operations Group Help Desk at ARINQUIRIES@fcc.gov at 877-480-3201 option 6.

Application Name: Remittance Advice
Pay.gov Tracking ID: 2617448D
Agency Tracking ID: PGA3259880

Account Holder Name: Systems and Software Enterprises, LLC
Transaction Type: ACH Debit
Transaction Amount: \$11,015.00
Payment Date: Jun 20, 2019
Account Type: Business Checking
Routing Number: *****
Account Number: *****4885

Transaction Date: Jun 19, 2019 12:32:18 PM
Total Payments Scheduled: 1
Frequency: OneTime

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT

EXHIBIT B

From: Cindy Cavell <ccavell@cavellmertz.com>
Sent: Thursday, June 6, 2019 5:19 PM
To: Anthony Asongwed <Anthony.Asongwed@fcc.gov>; paul.blais@fcc.gov
Cc: Dave Gibson <Dave.Gibson@zii.aero>; Friedman, Barry <Barry.Friedman@thompsonhine.com>
Subject: Withdrawal of MyIBFS File No. SES-LIC-INTR2019-02309

CAUTION EXTERNAL EMAIL

Anthony, Paul:

Thanks so much for the phone conversation this afternoon.

Let me know if there is any other information that I should provide for the Systems and Software Enterprises (Zodiac Inflight) STA file number SES-STA-20190517-00634.

Further, as we discussed, I have withdrawn File No. SES-LIC-INTR2019-02309 to make the same corrections to the antenna information as we have for the STA. A new License application will be filed shortly.

Thanks for your time and patience,

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