

December 5, 2005

*VIA HAND DELIVERY*

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20554

**RECEIVED**

DEC - 5 2005

Federal Communications Commission  
Office of Secretary

**Re: Call Sign E000723; File Nos. SES-MFS-20050701-00853, SES-AFS-20051004-01365  
and SES-AFS-20051118-01597**

Dear Ms. Dortch:

Pursuant to Section 1.65 of the Commission's rules, 47 C.F.R. § 1.65, the undersigned, on behalf of The Boeing Company ("Boeing"), hereby updates the record of the above-referenced application proceeding to provide additional information. Because no party has submitted comments with respect to Boeing's pending application (the "eXchange Modification"), this is an unrestricted proceeding.

The eXchange Modification requests FCC authority to modify Boeing's existing Ku-band Aeronautical Mobile-Satellite Service ("AMSS") aircraft earth station ("AES") license in several ways, including authority: (i) to operate a new AES antenna to serve the general aviation market; (ii) to operate all authorized AESs at the aggregate off-axis e.i.r.p. level resulting from a conforming antenna as specified in Section 25.209 with input power density set forth in Section 25.134 of the Commission's rules for routinely licensed VSATs; (iii) to add new satellite points of communication for service outside the United States; (iv) to operate at power levels consistent with the coordinated parameters of those satellites in a non-2-degree spacing environment; and (v) to receive satellite transmissions in certain extended Ku-band frequencies for operations primarily outside the United States.

As a result of important near-term business requirements, Boeing respectfully requests that the Commission grant in part the eXchange Modification on an expedited basis, and defer the remaining elements of the application for consideration with Boeing's separate application for authority to operate outside the United States ("International Waters Modification"). See File No. SES-MOD-20040301-00304. In particular, Boeing and its eXchange partner, Rockwell Collins International, have commenced production of the eXchange AES antenna and related components, will begin customer aircraft installations later this month and want to commence full commercial operations in the first quarter of 2006. In addition, Boeing seeks to realize the efficiencies associated with operation at routinely licensed VSAT power density levels for its currently authorized AESs at the earliest possible time.

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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Importantly, these aspects of the eXchange Modification can be considered separately from the remaining parts of the application. Authority to add a new AES antenna and to operate at routinely licensed VSAT power density levels turns primarily on technical considerations and, consistent with past Commission practice, can be granted without an order by simply modifying Boeing's license for Call Sign E000723. On the other hand, authority to operate outside the United States with new satellite points of communication, including the use of higher power levels in a non-2-degree spacing environment and extended Ku-band frequencies, may involve broader policy issues. Furthermore, although the eXchange Modification and International Waters Modification request authority to access different satellites, the issues associated with non-U.S. operations raised in both applications are similar and can be dealt with in one decision. Such bifurcated consideration of the eXchange Modification would serve the interests of administrative convenience and efficient use of the Commission's resources.

Boeing is also taking this opportunity to submit new satellite operator engineering statements from Intelsat, Ltd. and SES Americom, Inc. in support of its application. While not required by the Commission's rules (because Boeing's proposed AES operations are consistent with routinely licensed VSAT power density levels), these statements confirm that operation of the eXchange AES antennas, and operation of all authorized AESs at an aggregate off-axis e.i.r.p. level of routinely licensed VSATs, are consistent with the coordinated parameters of the currently authorized satellite points of communication serving the United States. In addition, Boeing confirms that it will comply with all coordination agreements reached by the satellite operators.

Lastly, Boeing requests that in granting these portions of the eXchange Modification, the Commission relieve Boeing of any obligation to conduct prior performance testing on the new AES before commencement of commercial service. *See* Special Condition 5948, Earth Station Authorization Call Sign E000723. Such a condition would be burdensome and unnecessary because Boeing has already thoroughly demonstrated its ability to adequately control AES performance in prior reports to the Commission and through operation of its AMSS system for nearly five years. At most, the Commission should consider modifying this condition consistent with more recent license issued to another Ku-band AMSS operator requiring submission of a report one year after grant that demonstrates continuing compliance with authorized aggregate off-axis e.i.r.p. density requirements. *See* ARINC Incorporated, File Nos. SES-LIC-20030910-01261 and SES-AMD-20031223-01860, *Order and Authorization*, DA 05-1016, ¶¶ 56, 58(l) (rel. Apr. 6, 2005).

In sum, Boeing requests expedited approval of that portion of the eXchange Modification that requests authority: (i) to operate a new AES antenna to serve the general aviation market without a requirement for prior testing; and (ii) to operate all authorized AESs at the aggregate off-axis e.i.r.p. level of routinely authorized VSATs.

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

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Please feel free to contact the undersigned with any questions regarding this submission.

Sincerely,

Handwritten signature in black ink, appearing to read "Carlos M. Nalda & cty".

Carlos M. Nalda

Christopher R. Bjornson

cc: Andrea Kelly  
Karl Kensiger  
Scott Kotler  
Arthur Lechtman

# SES AMERICOM

An SES GLOBAL Company

Frederick D. Cain  
Director, Transponder Capacity  
Enterprise Solutions

December 5, 2005

Lane Addis  
Supplier Management & Procurement  
Connexion by Boeing  
The Boeing Company  
P.O. Box 3707, Mail Code 14-81  
Seattle, WA 98124-2207

Re: Satellite Operator Engineering Certification  
Call Sign E000723, File No. SES-MFS-20050701-00853

Per your request, SES Americom, Inc. hereby confirms the following with respect to the operations proposed in the above-referenced application:

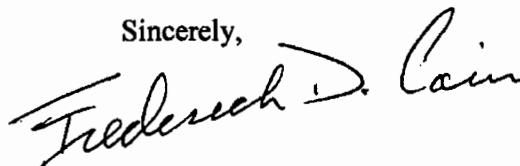
(i) Ku-band Aeronautical Mobile-Satellite Service ("AMSS") uplink operations are conducted by Connexion by Boeing on a secondary basis and thus may not cause harmful interference to primary Fixed-Satellite Service ("FSS") operations;

(ii) the proposed operations, including the operation of the proposed aircraft earth station ("AES") and previously authorized AESs will meet the requirements as set forth in Section 25.220 (c).(1), so as not to exceed the aggregate off-axis e.i.r.p. resulting from a conforming antenna as specified in Section 25.209 with input power density level set forth in Section 25.134 of the Commission's rules for routinely licensed VSATs. These operational levels are within the the operational parameters of the AMC-4 satellite network that have been coordinated with all adjacent satellite networks within 6° of orbital separation from the satellite, and the operations will not violate any existing coordination agreement with other satellite systems; and

(iii) the proposed AES operations, if authorized and subject to the outcome to the ongoing AMSS rulemaking, will continue to comply with the FCC requirements. SES Americom will insure that these requirements will be included in future coordination agreements in accordance with the FCC rules and orders.

Please let me know if SES Americom, Inc. can provide you with any additional information to facilitate grant of the above-referenced application.

Sincerely,



December 2, 2005

Lane Addis  
Supplier Management & Procurement  
Connexion by Boeing  
The Boeing Company  
P.O. Box 3707, Mail Code 14-81  
Seattle, WA 98124-2207

Re: Satellite Operator Engineering Certification  
Call Sign E000723, File No. SES-MFS-20050701-00853

Per your request, Intelsat, Ltd. hereby confirms the following with respect to the operations proposed in the above-referenced application:


(i) Ku-band Aeronautical Mobile-Satellite Service ("AMSS") operations are conducted on a secondary basis and thus may not cause harmful interference to primary Fixed-Satellite Service ("FSS") operations;

(ii) the proposed operations, including the operation of the proposed aircraft earth station ("AES") and previously authorized AESs will meet the requirements as set forth in Section 25.220 (c). (1) so as not to exceed the aggregate off-axis e.i.r.p. level resulting from a conforming antenna as specified in Section 25.209 with input power density set forth in Section 25.134 of the Commission's rules for routinely licensed VSATs. These operational levels are within the operational parameters of the IA-6 as coordinated with all adjacent satellite networks within 6° of orbital separation from the satellite, and the operations will not violate any existing coordination agreement with other satellite systems; and

(iii) the proposed AES operations, if authorized, will be included in future domestic coordination processes.

Please let me know if Intelsat, Ltd. can provide you with any additional information to facilitate grant of the above-referenced application.

Sincerely,



Ram Manohar  
Department Manager, Frequency Management