



WASHINGTON, DC

DAVID S. KEIR
202.416.6742
DKEIR@LERMANCENTER.COM

July 11, 2017

SUBMITTED VIA IBFS

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

**Re: Row 44, Inc. Modification Application, File No. SES-MFS-20170221-00188,
Clarification Letter Pursuant to Section 1.65 of the FCC's Rules**

Dear Ms. Dortch:

Row 44, Inc. ("Row 44") submits this letter in response to a request from the Satellite Division to clarify in two respects the scope of the authority requested in the above-referenced modification application.

First, in the narrative statement included as an attachment to its pending application, Row 44 requested:

... that its current waiver of Section 2.106 of the FCC's Rules, which allows operation in the 12.2-12.5 GHz portion of the band on a non-conforming, non-interference basis using the IS-19 satellite, be extended to cover this portion of the extended Ku-band downlink spectrum for use on IS-29e as well.

In the footnote accompanying that statement, Row 44 cited to the specific condition on its current license that permits use of this band (and additional extended Ku-band downlink frequencies) on the IS-19 satellite at 166° E.L. This reference was intended simply to identify the previous circumstance in which the Commission granted such a waiver to Row 44 in this frequency band, not to request extension of the language of that particular license condition to the new request for authority. The existing condition contains language specifically relating to the scope of operations permitted on IS-19 pursuant to the space station license for that satellite. In the pending request, Row 44 seeks a further waiver of the Table of Allocations and the addition of a separate condition to its application permitting operations on IS-29e consistent with the authority granted to Intelsat in IBFS File Nos. SAT-LOA-20130772-00097 and SAT-AMD-20140718-00087. Row 44 understands that a standalone condition relating to this new authority would be required in any instrument granting the currently pending modification application.

LS

Ms. Marlene H. Dortch

July 11, 2017

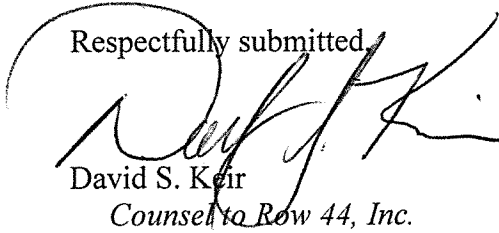
Page 2

Second, and along similar lines, Row 44 requests that the Division strike the citations included in footnote 9 of its application narrative, which reference prior grants of ESAA authority to operate in portions of the 12.2-12.75 GHz downlink band. Although Row 44 made plain in its narrative that these prior grants related to “U.S. registered aircraft” requiring access to “foreign satellites while traveling outside the United States,” the Row 44 application itself involves proposed operations near U.S. territorial airspace in ITU Region 2; therefore, the referenced applications, which involved only operations on U.S. aircraft operating outside of Region 2, are not themselves precedent for the specific authority Row 44 is now seeking. In place of the original citations, therefore, Row 44 requests that the text of footnote 9 be replaced in its entirety with the following citation, which relates to similar authority to operate using the same Intelsat satellite:

See, e.g., Panasonic Avionics LLC, SES-MFS-20160819-00730, Call Sign E100089, Condition 90312 (granted October 29, 2016) (granting authority for an additional antenna accessing the 12.2-12.5 GHz band on Intelsat 29e at 50° W.L. for Region 2/U.S. operations).

With these clarifications, we hope that you are able to take final action granting the pending modification application. Of course, should there be any additional questions regarding the application, as clarified, please contact the undersigned counsel.

Respectfully submitted,



David S. Keir

Counsel to Row 44, Inc.

cc: Paul Blais (FCC)
Cindy Spiers (FCC)
Trang Nguyen (FCC)