



LEVENTHAL SENTER & LERMAN PLLC

June 18, 2008

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VIA HAND DELIVERY

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

**Re: Lockheed Martin Corporation Petition for Reinstatement
Of Expired License E7541; File No. SES-MOD-20001130-02268**

Dear Ms. Dortch:

Lockheed Martin Corporation (“Lockheed Martin”), by its attorneys, submits the enclosed letter from Comsearch Senior Manager David E. Meyer as a supplement to the above-referenced petition seeking reinstatement of Lockheed Martin’s C-band fixed-satellite service transmit/receive earth station, Call Sign E7541, in Carpentersville, New Jersey. Lockheed Martin’s license to operate Station E7541 expired on August 3, 2007, and its pending petition for reinstatement was filed on May 16, 2008.

Mr. Meyer states in the attached letter that, notwithstanding that its license had expired, Station E7541 has been under Comsearch’s “continuous monitor and frequency protection service.” Comsearch has been “monitoring all new frequency coordinations on [Lockheed Martin’s] behalf and maintaining their participation in the frequency coordination process” on the receive 3650-3700 and 3700.5-4199.5 MHz bands and the transmit band at 6423.5 MHz. It has also continuously protected the frequency coordination of Station E7541.

Comsearch’s monitoring and protection of Station E7541 supports the grant of Lockheed Martin’s Petition for Reinstatement. Because the Station has been continuously treated as licensed for frequency coordination purposes, terrestrial licenses issued since Station E7541’s expiration date already recognize that Station and will be unaffected by its reinstatement. This means that no terrestrial licensee will be affected by the reinstatement of



Marlene H. Dortch
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Lockheed Martin's license for Station E7541 because any potentially affected Commission licensee has already had its operations coordinated with those of Station E7541. This *de minimis* impact on other licensees provides a further basis, in addition to those previously expressed by Lockheed Martin, for grant of its Petition for Reinstatement.

Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

Stephen D. Baruch
Philip A. Bonomo

Attorneys for Lockheed Martin Corporation

Enclosure

cc (w/encl.): Mr. Scott Kotler (via e-mail)
Jennifer A. Warren, Esq. (via e-mail)



COMSEARCH
A CommScope Company

19700 Janelia Farm Boulevard
Ashburn, VA 20147
703-726-5500
Fax 703-726-5596

June 17, 2008

Office of the Secretary
Federal Communications Commission
Washington, DC 20554

Re: Carpentersville, NJ
FCC Call Sign: E7541

Dear Sir:

This letter is to confirm that the 14.2 Meter C-Band Earth Station located at 450 River Road, Carpentersville, Warren, NJ 08865 (40-38-39.4 N, 75-11-27.6 W (NAD83)) under the ownership of Lockheed Martin Telecommunications, has been under our continuous monitor and frequency protection service. We have been monitoring all new frequency coordinations on their behalf and maintaining their participation in the frequency coordination process as specified in part 25 of the FCC Rules and Regulations. The protected frequencies are 3650 – 3700 and 3700.5 – 4199.5 MHz (Receive) and 6423.5 - 6423.5 MHz (Transmit).

We have been protecting this facility on behalf of Lockheed Martin Telecommunications. The frequency coordination of the station has been maintained and no further coordination activity will be necessary.

If you have any questions, or require additional information, please don't hesitate to call me on (703) 726-5656.

Sincerely,
COMSEARCH

David E. Meyer
Senior Manager
Frequency Protection Services



UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
RADIO STATION AUTHORIZATION

Prior (Closed) Authorization : FCC WEB Reproduction
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Name: LOCKHEED MARTIN CORPORATION
 (d/b/a Lockheed Martin Lanching Systems)

Call Sign: E7541
File Number: SES-MOD-20001130-02268

Authorization Type: Modification of License
Non Common Carrier **Grant Date:** 03/06/2002 **Expiration Date:** 08/03/2007

Nature of Service: Domestic Fixed Satellite Service

Class of Station: Fixed Earth Stations

A) Site Location(s)

# Site ID	Address	Latitude	Longitude	Elevation (Meters)	NAD	Special Provisions (Refer to Section H)
1) 1	450 RIVER ROAD CARPENTERSVILLE, WARREN, NJ, 08865	40° 38' 39.0" N	75° 11' 29.0" W	69.0	27	

Licensee certifies antenna(s) comply with gain patterns specified in Section 25.209

Subject to the provisions of the Communications Act of 1934, The Communications Satellite Act of 1962, subsequent acts and treaties, and all present and future regulations made by this Commission, and further subject to the conditions and requirements set forth in this license, the grantee is authorized to construct, use and operate the radio facilities described below for radio communications for the term beginning Sunday, August 03, 1997 (3 AM Eastern Standard Time) and ending Friday, August 03, 2007 (3 AM Eastern Standard Time). The required date of completion of construction and commencement of operation is 00/00/0000 (3 AM Eastern Standard Time). Grantee must file with the Commission a certification upon completion of construction and commencement of operation.

B) Particulars of Operations

The General Provision 1010 applies to all receiving frequency bands.
 The General Provision 1900 applies to all transmitting frequency bands.
 For the text of these provisions, refer to Section H.

#	Frequency	Polarization	Emission	Tx/Rx Mode	Max EIRP /Carrier	Max EIRP Density	Associated Antenna	Special Provisions (Refer to Section H)	Modulation/ Services
1)	6423.5000 - 6423.5000	H,V,L,R	3M00G7D	T	87.00	67.00	N-ANT 2	3M00G7D (3000F9) for TT&C, GXD AND TRANSFER ORBIT	
2)	3700.5000 - 4199.5000	H,V,L,R	3M00G7D	R			N-ANT 2	3M00G7D (3000F9) for TT&C, GXD AND TRANSFER ORBIT	
3)	3650.0000 - 3700.0000	H,V,L,R	3M00G7D	R			N-ANT 2	3M00G7D (3000F9) for TT&C, GXD AND TRANSFER ORBIT	
4)	6423.5000 - 6423.5000	H,V,L,R	3M00G7D	T	87.00	67.00	S-ANT 1	3M00G7D (3000F9) for TT&C, GXD AND TRANSFER ORBIT	
5)	3700.5000 - 4199.5000	H,V,L,R	3M00G7D	R			S-ANT 1	3M00G7D (3000F9) for TT&C, GXD AND TRANSFER ORBIT	
6)	3650.0000 - 3700.0000	H,V,L,R	3M00G7D	R			S-ANT 1	3M00G7D (3000F9) for TT&C, GXD AND TRANSFER ORBIT	

C) Frequency Coordination

#	Frequency Limits(MHz)	Satellite Arc (Deg. Long.)		Elevation (Degrees)		Azimuth (Degrees)		Max EIRP Density toward Horizon (dBW/4kHz)	Associated Antenna(s)
		East Limit	West Limit	East Limit	West Limit	East Limit	West Limit		
1)	3600.0000 - 3700.0000	W	W	10.0	90.0	106.0	284.0		S-ANT 1
2)	6423.5000 - 6423.5000	-	-	10.0	90.0	76.0	284.0	19.0	S-ANT 1



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Non Common Carrier	Grant Date:	03/06/2002	Expiration Date:	08/03/2007	
3) 3700.5000 - 4199.5000	-	10.0 - 90.0	76.0 - 284.0		S-ANT 1
4) 3600.0000 - 3700.0000	W-W	10.0 - 90.0	76.0 - 284.0	0.0	N-ANT 2
5) 6423.5000 - 6423.5000	-	10.0 - 90.0	76.0 - 284.0	19.0	N-ANT 2
6) 3700.5000 - 4199.5000	-	10.0 - 90.0	76.0 - 284.0		N-ANT 2

D) Point of Communications

The following stations located in the Satellite orbits consistent with Sections B and C of this Entry:

- 1) 1 to INTELSAT AOR @ 342.0 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 2) 1 to INTELSAT AOR @ 335.5 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 3) 1 to INTELSAT AOR @ 332.5 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 4) 1 to INTELSAT AOR @ 330.5 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 5) 1 to INTELSAT AOR @ 328.5 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 6) 1 to INTELSAT AOR @ 325.5 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 7) 1 to INTELSAT AOR @ 310.0 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 8) 1 to INTELSAT AOR @ 307.0 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 9) 1 to INTELSAT 805 @ 304.5 degrees of the INTELSAT satellite system. (U.S.-licensed)
- 10) 1 to INTELSAT AOR @ 359.0 E.L. satellite of the INTELSAT system (U.S.-licensed)
- 11) 1 to All authorized U.S. Domestic (ALSAT) Satellites.

E) Antenna Facilities

Site ID	Antenna ID	Units	Diameter (Meters)	Manufacturer	Model Number	Site Elevation	Max Antenna Height (Meters)	Special Provisions (Refer to Section H)
1	N-ANT 2	1	14.2	TIW	120-00-00	69.0	18.0 AGL/ 87.0 AMSL	
Max Gains(s):53.9 dBi @ 4.0000 GHz 57.5 dBi @ 6.0000 GHz								
Maximum total input power at antenna flange (Watts) = 891.25								
Maximum aggregate output EIRP for all carriers (dBW)87.0								
1	S-ANT 1	1	14.2	TIW	120-00-00	69.0	18.0 AGL/ 87.0 AMSL	
Max Gains(s):53.9 dBi @ 4.0000 GHz 57.5 dBi @ 6.0000 GHz								
Maximum total input power at antenna flange (Watts) = 891.25								
Maximum aggregate output EIRP for all carriers (dBW)87.0								

F) Remote Control

1	Call Sign:	E7541
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Authorization Type: Modification of License
Non Common Carrier Grant Date: 03/06/2002 Expiration Date: 08/03/2007

G) Antenna Structure marking and lighting requirements:

None unless otherwise specified under Special and General Provisions

H) Special and General Provisions

A) This RADIO STATION AUTHORIZATION is granted subject to the following special provisions and general conditions:

- 1010 Applicable to all receiving frequency bands. Emission designator indicates the maximum bandwidth of received signal at associated station(s). Maximum EIRP and maximum EIRP density are not applicable to receive operations.
- 1205 Emission 3000F9 denotes a TT&C radio channel.
- 1900 Applicable to all transmitting frequency bands. Authority is granted to transmit any number of RF carriers with the specified parameters on any discrete frequencies within associated band in accordance with the other terms and conditions of this authorization, subject to any additional limitations that may be required to avoid unacceptable levels of inter-satellite interference.
- 2010 This authorization is issued pursuant to the Commission's Second Report and Order adopted June 16, 1972 (35 FCC 2d 844) and Memorandum, Opinion and Order adopted December 21, 1972 (38 FCC 2d 665) in Docket No. 16495 and is subject to the policies adopted in that proceeding.
- 2610 No harmful interference shall be caused by the operation of this station to other lawfully operated radio stations and operation of this station must be terminated immediately upon notification of harmful interference.
- 2914 This station operating a Tracking, Telemetry and Command (TT&C) antenna.
- 2916 Transmitter(s) must be turned off during antenna maintenance to ensure compliance with the FCC-specified safety guidelines for human exposure to radiofrequency radiation in the region between the antenna feed and the reflector. Appropriate measures must also be taken to restrict access to other regions in which the earth station's power flux density levels exceed the specified guidelines.
- 3219 All existing transmitting facilities, operations and devices regulated by the Commission must be in compliance with the Commission's radiofrequency (RF) exposure guidelines, pursuant to Section 1.1307(b)(1) through (b)(3) of the Commission's rules, or if not in compliance, file an Environmental Assessment (EA) as specified in Section 1.1311. See 47 CFR 1.1307 (b) (5).
- 3428 This authorization is not to be construed as including any uplink or downlink authority in other countries.
- 5011 The Licensee(s) shall maintain on file with the Commission a current list or plan of the precise frequencies in use at the station, specifying for each frequency the RF center frequency, polarization, emission designator, nominal EIRP (in dBW) and maximum EIRP density (in dBW/4kHz). This list or plan may be submitted either on a station-by-station basis or on a system-wide basis and shall be updated within seven (7) days of any changes in frequency usage at this station. The Licensee(s) need not notify the Commission of temporary usage of frequencies for periods of less than seven (7) days. However, the Licensee(s) shall maintain accurate station records of the times and particulars of such temporary frequency usage.
- 5012 The authority granted here is limited to the operation of the facilities described above and does not include any authority to install and operate channelizing equipment or any other authority under Section 214 of the Communications Act of 1934, as amended, to establish channels of communications.
- 5013 In the event of the failure of a satellite with which operations are authorized in Section D of this license, operations are authorized in conjunction with the authorized INTELSAT satellite in the affected Ocean Region that provides the services authorized herein in order to maintain the continuity of commercial service; provided that the licensee(s) immediately notify the Commission of the nature of this emergency and its expected duration; and provided that the operational limits of elevation angle and azimuth range specified in Section C of this license are not exceeded. In the event that such emergency operations require emissions not specified in Section B of this license, such emissions may be utilized provided that the EIRP's of such emissions do not exceed the limits set forth in this license.



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Non Common Carrier Grant Date: 03/06/2002 Expiration Date: 08/03/2007

H) Special and General Provisions

- 5015 Upon completion of construction, each licensee must file with the Commission a certification including the following information: name of the licensee, file number of the application, call sign of the antenna, date of the license and certification that the facility as authorized has been completed, that each antenna facility has been tested and is within 2 dB of the pattern specified in Section 25.209 and that the station is operational including the date of commencement of service and will remain operational during the license period unless the license is submitted for cancellation.
- 5017 Operation of this station is governed by the terms, conditions and limitations in Part 25 of the Commission's Rules and Regulations and the following additional conditions: 1. This license shall not vest in the Licensee(s) any right to operate the station or any right in the use of the frequencies designated in the license beyond its term or in any other manner than authorized in the license; 2. Neither the license nor the right granted under it shall be assigned or otherwise transferred in violation of the Commissions or otherwise transferred in violation of the Communications Act of 1934, as amended, or the Commission's Rules and Regulations issued under it; and 3. This station is subject to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended.
- 5018 This license shall be forfeited automatically if this station is not ready for operation within the time specified unless, prior to the expiration date of this license, the Commission receives an Application for Additional Time to Construct a Radio Station (FCC Form 701) filed by the Licensee(s) showing good cause why the Licensee(s) could not complete construction on time.
- 5035 The receiving frequency band 3650-3700 MHz is for INTELSAT use only.
- 5216 All operations shall be on a non-common carrier basis.
- 5802 This authorization is issued pursuant to and subject to the terms and policy adopted in the Commission's Order, released December 11, 2000 (FCC 00-363).
- 5854 A waiver of footnote NG169 in Section 2.106 of the Commission's Rules and Regulations is granted for the authorized TT&C earth station to be located 45 miles from the grandfathered earth stations (E950436, KA444, E6777, E950209, KA260, KA308, and KA81). See the attached "Memorandum for the file" dated February 22, 2002.



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Authorization Type: Modification of License
Non Common Carrier **Grant Date:** 03/06/2002 **Expiration Date:** 08/03/2007

H) Special and General Provisions

B) This RADIO STATION AUTHORIZATION is granted subject to the additional conditions specified below:

This authorization is issued on the grantee's representation that the statements contained in the application are true and that the undertakings described will be carried out in good faith.

This authorization shall not be construed in any manner as a finding by the Commission on the question of marking or lighting of the antenna system should future conditions require. The grantee expressly agrees to install such marking or lighting as the Commission may require under the provisions of Section 303(q) of the Communications Act. 47 U.S.C. § 303(q).

Neither this authorization nor the right granted by this authorization shall be assigned or otherwise transferred to any person, firm, company or corporation without the written consent of the Commission. This authorization is subject to the right of use or control by the government of the United States conferred by Section 706 of the Communications Act. 47 U.S.C. § 706. Operation of this station is governed by Part 25 of the Commission's Rules. 47 C.F.R. Part 25.

This authorization shall not vest in the licensee any right to operate this station nor any right in the use of the designated frequencies beyond the term of this license, nor in any other manner than authorized herein.

This authorization is issued on the grantee's representation that the station is in compliance with environmental requirements set forth in Section 1.1307 of the Commission's Rules. 47 C.F.R. § 1.1307.

This authorization is issued on the grantee's representation that the station is in compliance with the Federal Aviation Administration (FAA) requirements as set forth in Section 17.4 of the Commission's Rules. 47 C.F.R. § 17.4.

The following condition applies when this authorization permits construction of or modifies the construction permit of a radio station.

This authorization shall be automatically forfeited if the station is not ready for operation by the required date of completion of construction unless an application for modification of construction permit for additional time to complete construction is filed by that date, together with a showing that failure to complete construction by the required date was due to factors not under control of the grantee.

Licensees are required to pay annual regulatory fees related to this authorization. The requirement to collect annual regulatory fees from regulates is contained in Public Law 103-66, "The Omnibus Budget Reconciliation Act of 1993". These regulatory fees, which are likely to change each fiscal year, are used to offset costs associated with the Commission's enforcement, public service, international and policy and rulemaking activities. The Commission issues a Report and Order each year, setting the new regulatory fee rates. Receive only earth stations are exempt from payment of regulatory fees.

Received

NOV 26 2001

Satellite and Radiocommunication Division
Scientific Engineering Branch

STEPHEN D. BARUCH
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November 16, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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BY HAND DELIVERY

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Further Supplemental Information Regarding Application of Lockheed Martin Corporation to Modify Earth Station at Carpentersville, NJ (Call Sign E7541, File Nos. SES-MOD-20001130-02268 and SES-AMD-20010717-01356)

Dear Ms. Salas:

This letter provides further supplemental information regarding the above-referenced application of Lockheed Martin Corporation ("LMC") to modify its license for a C-band Earth station facility at Carpentersville, New Jersey to include spectrum in the 3650-3700 MHz (extended C-band) range. In its initial application, LMC sought a waiver of the Commission rule that would accord primary status only to those extended C-band earth stations for which applications that were filed prior to December 1, 2000 and which sought to establish new or modified extended C-band facilities that are located within 10 miles of an existing grandfathered extended C-band Earth station receive site. LMC's application was filed on November 30, 2000, but requested primary status for an extended C-band Earth station receive site that is located approximately 45 miles from the nearest grandfathered site (i.e., the one in Franklin, New Jersey). See LMC Application at Exhibit 1.

In August 2001, LMC supplemented its application with the submission of a figure, prepared for LMC by Comsearch, that purported to show that if a 200 kilometer coordination zone for fixed service systems is established around the coordinates of LMC's Carpentersville Earth station facility in western New Jersey, the entire 200 kilometer coordination zone would be encompassed within the 200 kilometer coordination zones of other extended C-band Earth stations on the grandfathered list that is included in the Commission's *First Report and Order and Second Notice of Proposed Rule Making* in ET Docket No. 98-237. In fact, close examination of the figure shows that there is a tiny area, to the far southeast of the 200 kilometer

LEVENTHAL, SENTER & LERMAN P.L.L.C.

Ms. Magalie R. Salas, Secretary
November 16, 2001
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coordination zone around the Carpentersville site, that appears not to be fully within any of the other coordination zones plotted on the figure.

LMC has revisited the subject of the “uncovered” area of the coordination zone around the Carpentersville site with Comsearch, and provides two new figures for the Commission’s consideration. In the first new figure that is attached to this letter, the scale of the figure provided in August is enlarged to show that the area of the Carpentersville facility’s coordination zone that may not be fully within the coordination zones of the other plotted grandfathered earth stations is located in the Atlantic Ocean to the southeast of Cape May, New Jersey and to the northeast of Lewes, Delaware. As a practical matter, fixed service stations will not be able to be located in this area. In the second new figure, coordination zones for two additional grandfathered extended C-band earth stations – one in Alexandria, Virginia and the other in Staten Island, New York – are added to the figure. The addition of these two earth station coordination zones appear to effectively cover the small area of ocean that appeared to be uncovered in the figure LMC submitted in August.

The following grandfathered extended C-band earth stations are the ones plotted on the second attached figure (and all but the Alexandria and Staten Island stations were plotted on the August figure as well):

<u>Earth Station</u>	<u>Call Sign</u>	<u>Coordinates</u>
Alexandria, VA	KA81	38° 47’ 36” N / 77° 09’ 59” W
Clarksburg, MD	KA260	39° 13’ 05” N / 77° 16’ 12” W
Franklin, NJ	E6777/KA231	41° 07’ 04” N / 74° 34’ 33” W
Hauppauge, NY	E950436	40° 49’ 15” N / 73° 15’ 50” W
Hawley, PA	E950209	41° 27’ 51” N / 75° 07’ 48” W
Roaring Creek, PA	WA33	40° 53’ 37.5” N / 76° 26’ 22” W
Staten Island, NY	KA308	40° 36’ 13” N / 74° 10’ 39” W

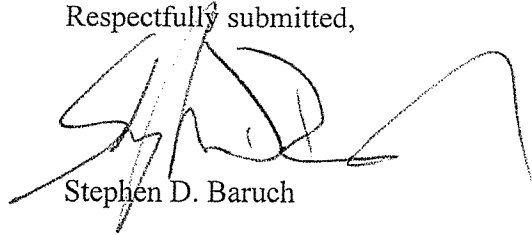
As a result of the two new figures, LMC is able to reiterate that the grant of primary status to LMC’s proposed facility would not impose any coordination obligation that does not already exist, yet it would provide the certainty and other desirable benefits of primary status that LMC recited in its application. *See* LMC Application at Exhibit 1. LMC further reiterates that it has shown in its initial application that the unique terrain features of the Carpentersville complex will greatly reduce the likelihood that a terrestrial station could interfere with the Earth station’s operations in any event. *Id.* at Exhibit 1 and attachments.

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Ms. Magalie R. Salas, Secretary
November 16, 2001
Page 3

On the basis of the foregoing, and for the reasons it provided in its Application (as amended) and August 2001 Supplement, LMC respectfully renews its request that the Commission grant LMC's extended C-band modification of license application for Carpentersville.

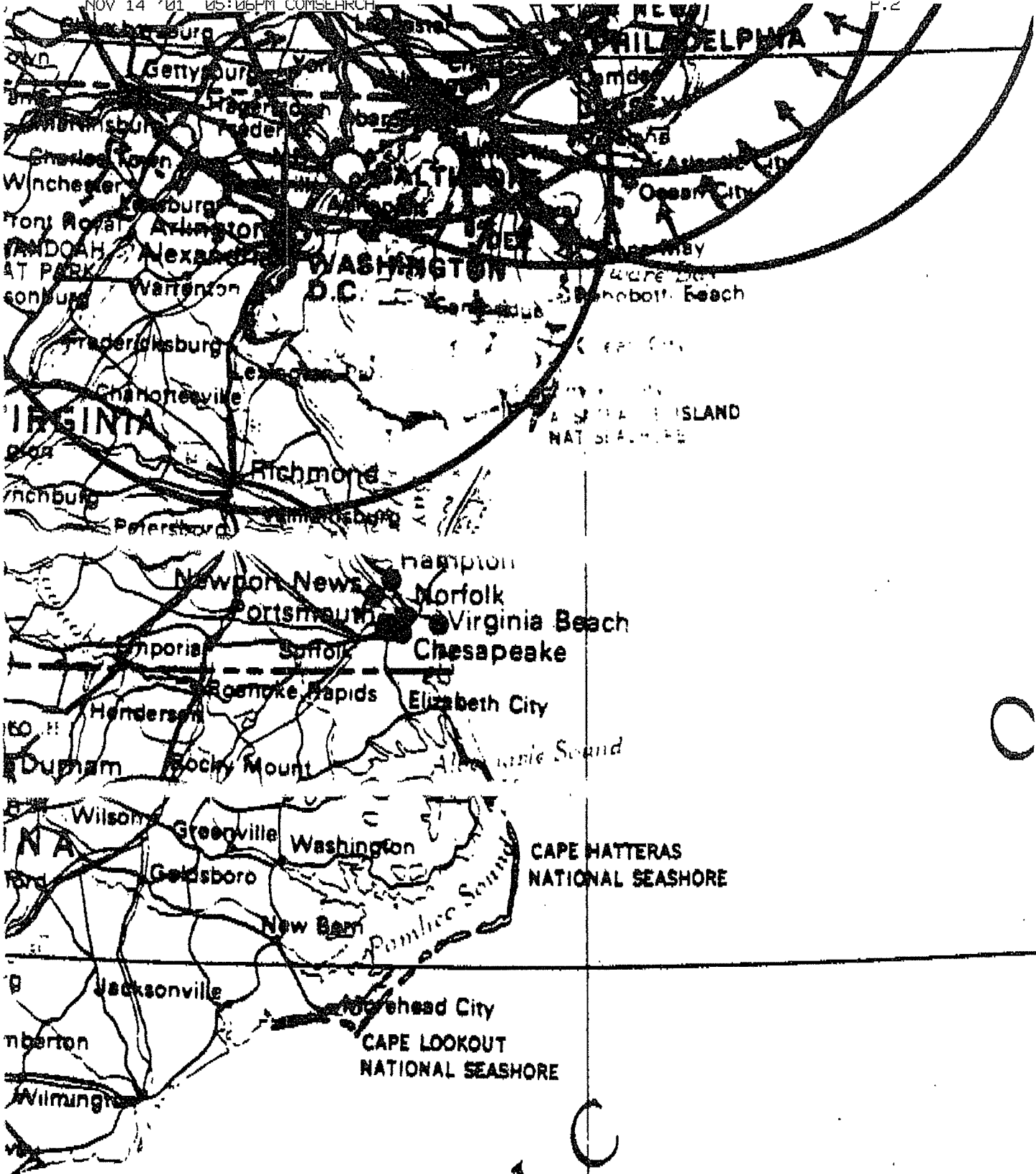
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen D. Baruch", is written over the typed name. The signature is stylized and somewhat cursive.

Stephen D. Baruch

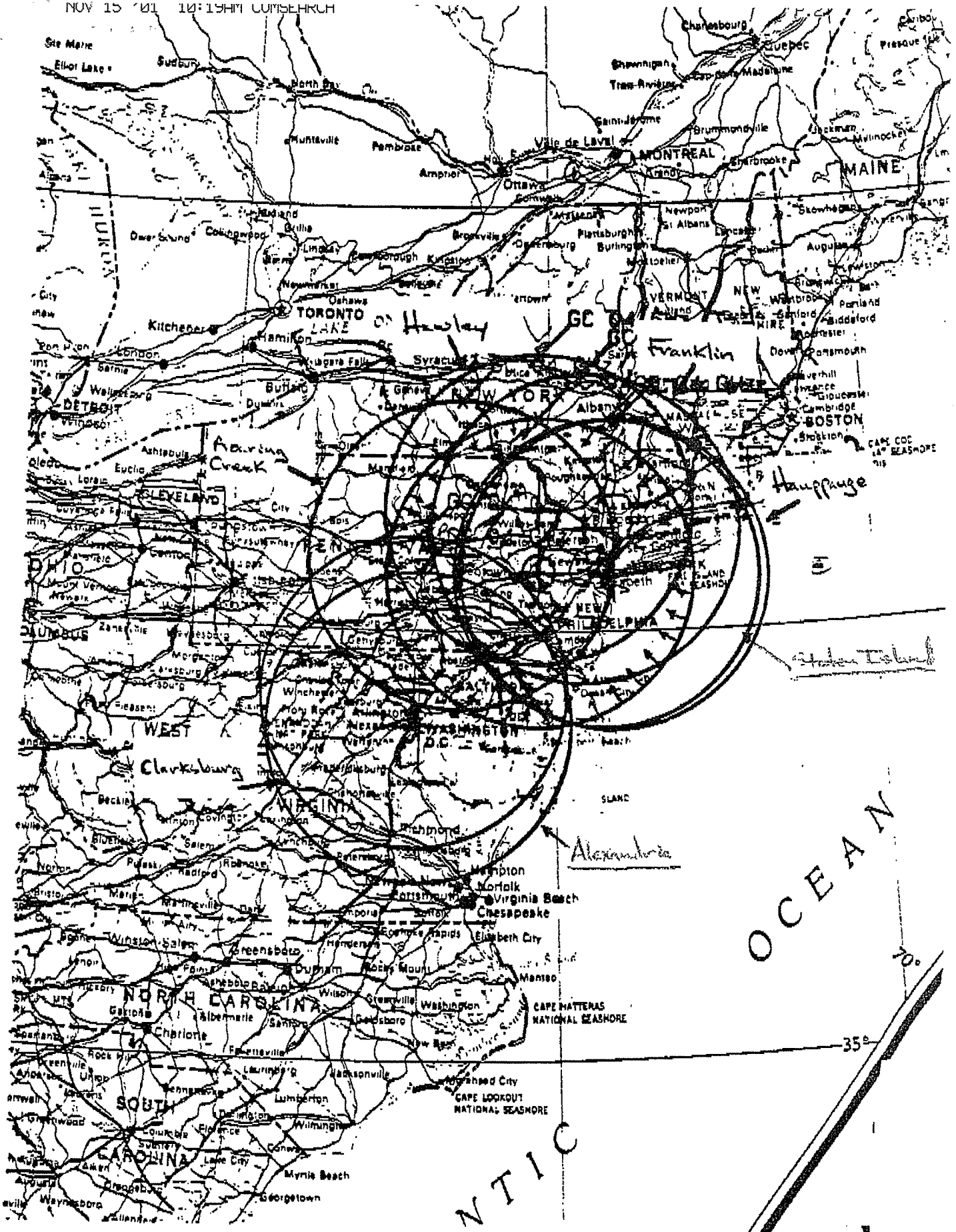
Enclosure

cc (w/ encl.): Karl Kensinger (by e-mail)
Sylvia Lam (by e-mail)
Jennifer Warren (by e-mail)



C

NTIC



OCEAN

35°

70°

NTIC