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APR - 8 2004

**Satellite and  
Radiocommunications Division  
International Bureau**

March 09, 2004

BY ELECTRONIC FILING

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

Re: *Application for extension of completion date for satellite earth station call signs E010151, E010153, and E010155*

Dear Ms. Dortch:

In the attached applications, WB Holdings 1 LLC ("WB Holdings"), a wholly owned subsidiary of WildBlue Communications, Inc. ("WildBlue"), requests additional time to complete and bring into regular operation the satellite earth stations for call signs E010151, E010153, and E010155. Construction has not been completed and regular operation of these earth stations has not begun due largely to unforeseen delays in the launch of ANIK F2, the satellite owned by Telesat Canada with which they will communicate. Other unforeseen delays in construction of the earth stations themselves, including delivery of the antennas to the sites, have also contributed to the need for an extension. Despite these obstacles, WB Holdings has made substantial progress on all three sites, which will be completed by the time ANIK F2 is launched this summer.

**Unforeseen Delays**

The deadline to complete construction of the stations and commence regular operation will expire on March 14, 2004.<sup>1</sup> This completion deadline was based on the expected launch of ANIK F2 in late 2003,<sup>2</sup> which has since been postponed to summer

<sup>1</sup> See File Nos. SES-MOD-20030313-00389, SES-MOD-20030313-00390, and SES-MOD-20030313-00391 (granting request for extension of completion of construction date to March 14, 2004).

<sup>2</sup> See Letter from David M. Brown, Manager of WB Holdings 1 LLC, to Marlene H. Dortch, Secretary, FCC, File Nos. SES-MOD-20030313-00389, SES-MOD-20030313-00390, and SES-MOD-20030313-00391 (dated Mar. 13, 2003). See also

2004 due to a delay in delivery of the satellite by the manufacturer.<sup>3</sup> Because neither ANIK F2 nor the other satellite with which the earth stations are authorized to communicate, WildBlue 1, will be launched by March 14, WB Holdings could not bring the earth stations into “regular operation” by the deadline even if construction were completed.<sup>4</sup>

This delay was both unforeseeable and outside the control of WB Holdings. ANIK F2 is owned by Telesat Canada.<sup>5</sup> WildBlue does not control Telesat Canada, and has no contractual right to control the procurement or launch of ANIK F2. In these circumstances, WB Holdings has been forced to rely on information from Telesat Canada regarding expected launch dates for ANIK F2, and has scheduled its earth station licensing and construction activities accordingly.

Despite delays in the launch of ANIK F2, WB Holdings has made substantial progress in the construction of these earth stations, and expects to complete them before ANIK F2 is launched. As demonstrated in Exhibit 1, the foundations have been laid and the equipment shelters installed at all three sites. Both antennas have been erected at the Cheyenne, Wyoming site (E010151), and installation of power and electronics should begin this week. Delivery of antennas to the Syracuse, New York site (E010155) has been postponed until March 19, 2004 due to adverse weather conditions and the actions of the antenna manufacturer, but construction of the site is otherwise substantially complete. At the Laredo, Texas site (E010153), antennas will be delivered once the electrical work is complete, which is currently underway and should be finished soon. To date, WB Holdings has spent approximately \$7.1 million to construct these stations, and expects to spend an additional \$3.4 million to complete them.

Based on its substantial progress in the construction of the earth stations and the current expected launch date of ANIK F2, WB Holdings requests that the Commission grant an additional six months – *until September 14, 2004* – for WB Holdings to implement its gateway earth stations for call signs E010151, E010153, and E010155.

### **Public Interest Considerations**

Granting WB Holdings additional time to complete construction of the earth stations and bring them into regular operation will serve the public interest. WB

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Telesat Canada 2002 Annual Report at 12 (available at <http://www.telesat.ca/about/investor-relations/index.htm>).

<sup>3</sup> See Telesat Canada 2003 4Q Report at 5 (available at <http://www.telesat.ca/about/investor-relations/index.htm>).

<sup>4</sup> See 47 C.F.R. § 25.133(a).

<sup>5</sup> Telesat Canada 2000 Annual Report at 4, 13, 18 (available at <http://www.telesat.ca/about/investor-relations/index.htm>).

Marlene H. Dortch

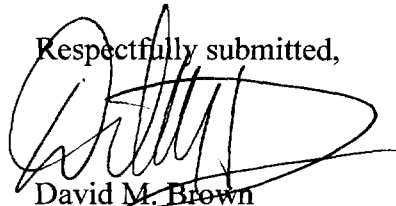
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Holdings' gateway earth stations are an essential component of WildBlue's satellite system, which will be used to deliver affordable high-speed broadband Internet access to residential and small business customers throughout North America upon the launch of ANIK F2. For many consumers in unserved and underserved areas, WildBlue will offer the first opportunity for truly high-speed two-way broadband services. And in areas where broadband is currently available, WildBlue's service will provide economically and technologically competitive facilities-based competition. The public interest could not be better served than by allowing WildBlue to offer its broadband services as soon as possible using the earth station gateways it has spent considerable time and expense constructing and which are nearly complete.

If you have any questions regarding these applications, please address them to WildBlue's counsel, Bill Wiltshire, at 202-730-1350.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David M. Brown', written over a horizontal line.

David M. Brown

Vice President of WildBlue Communications, Inc.

*Manager of WB Holdings 1 LLC*

cc: Shahnaz Ghavami (via e-mail)