

## EXHIBIT D

### Request for Waiver of FCC Rule 25.204(f)

Upstream Investments, LLC requests a waiver of FCC Rule 25.204(f) concerning the minimum transmit power required by an applicant seeking to transmit in that portion of the spectrum from 13.75 to 14.0 GHz. The rule denotes an EIRP for any emissions transmitting in this band of at least 68 dBW. The Applicant is filing for an EIRP of 65 dBW for their 4 MHz emissions.

The waiver is requested, and is based upon the fact that if the Applicant complies with the Part 25.204(f) they would exceed the requirement set by the satellite owner to make efficient use of the transponder.