

Waiver of the U.S. Table of Frequency Allocations

Marlink respectfully requests, if necessary, waiver of the U.S. Table of Frequency Allocations to permit communications by WB36 Authorized Earth Stations on Vessels using the following frequency bands-

Extended Ku-band space to earth frequencies 10.7 – 10.95 GHz and 11.2 – 11.45 GHz

Ka-band space to earth frequencies 18.8 – 19.3 GHz, 19.3 – 19.4 GHz and 19.6 – 19.7 GHz

Ka-band earth to space frequencies 28.6 – 29.1 GHz

As of the time that Marlink is filing this Modification Application the Commission is considering release of The Second Report and Order and Report and Order, IB Docket Nos. 17-95 and 18-315 – “In the Matter of Amendment of Parts 2 and 25 of the Commission’s Rules to Facilitate the Use of Earth Stations in Motion communicating with Geostationary Orbit Space Stations in Frequency Bands Allocated to the Fixed Satellite Service and Facilitating the Communications of Earth Stations in Motion with Non-Geostationary Orbit Space Stations”. This Report and Order expands the frequency bands available for Earth Stations in Motion (ESIM) communicating with Geostationary Orbit Fixed Satellite Service Space Stations as follows:

Allow ESIMs to operate with GSO FSS space stations in the 10.7 – 10.95 GHz and 11.2 – 11.45 GHz bands on an unprotected basis with respect to terrestrial services.

Allow ESIMs to operate with GSO FSS space stations in the 18.8-19.3 GHz and 28.6 – 29.1 GHz bands on an unprotected, non-interference basis with respect to NGSO FSS satellite systems.

Allow ESIMs to receive signals from GSO FSS space stations in the 17.8-18.3 GHz band on a secondary basis and in the 19.3 – 19.4 and 19.6 – 19.7 GHz bands on an unprotected basis with respect to terrestrial services.

It is anticipated that the Report and Order will be effective by the time processing of this Modification Application is complete. However, in the event that the Report and Order is not yet in effect waiver of the U.S. Table of Frequency Allocations is requested as necessary to permit use of these frequencies by the Earth Stations on Vessels that are authorized by the WB36 license based on the fact that those frequencies are to soon be authorized by the Commission for ESIM use.

Waiver of the “and” Requirement in §25.115(c)(3)(i)

Marlink respectfully requests waiver of the “and” in §25.115(c)(3)(i). §25.115(c)(3)(i) states that the Ka-band applications covered by the section “...may be routinely processed if the criteria in paragraphs (c)(3)(i)(A) and (B) of this section are met:...” Marlink notes however that the comparable requirement set forth for Ku-band and C-band use “or” and “alternatively” in their respective sections and requests routine processing of the applications for the Ka-band antennas that meet the criteria of paragraphs (c)(3)(i)(A) or (B).

§25.115(c)(1)(i) refers to meeting “...the requirements of §25.212(c) or §25.218(e)...” §25.115(c)(2) states “Applications will be routinely processed provided that frequency coordination has been satisfactorily completed and that the proposed earth stations comply with the applicable provisions in §25.211(d) or §25.212(d). Alternatively, applicants that have satisfactorily completed frequency coordination may be routinely processed if the proposed earth stations comply with the applicable off-axis EIRP density limits in §25.218(c) or (d).”

Further, §25.115(c)(3)(ii), the follow up subsection to §25.115(c)(3)(i) uses “or” and not “and” in specifying the requirements for applications that do not meet the requirements for routine processing. Such applications are identified as those “...that do not meet the requirements of §25.212(e) or §25.218(i)...”

Marlink therefore respectfully requests waiver of the “and” in §25.115(c)(3)(i) and that the application for authorization of the Ka-band ESV antennas included in this Modification Application be provided routine processing based on the fact that it is established that the antennas meet the criteria in paragraphs (c)(3)(i)(A) or (B).

Waiver for the Sea Tel 2400 Ku-band Antenna of the §25.115(g)(1)(vi) Requirement that the Information Submitted to Satisfy §25.115(g)(1) Include Plots Measured with Maximum Skew as Described in §25.132(b)(1)(iv)

Cobham SATCOM explained that Plots measured with max skew as described in §25.132(b)(1)(iv) were not prepared because, *“Although our antenna does not have a symmetric aperture, and given that we do not align the major axis with the plane tangent to the GEO arc, the data we have provided for both Az and EL (Major and Minor aperture axis) Gain and EIRPSD patterns shows compliance to the more stringent requirements of patterns in the plane tangent to the GEO arc. The requirement mentioned below [sic] is actually meant for antennas that are trying to get a relaxation in EIRPSD/Gain compliance for the plane with the minor axis. In our case the plane with the maximum skew the antenna may operate is 90 degrees meaning the elevation cut would be radiating in the plane tangent to the GEO arc (when operating at the equator) and as such the masks applied to our elevation patterns are those required for that type of operation (same as the mask applied for the Az cut).”*

Exhibit 8 –**Waiver Requests**

Marlink therefore respectfully requests waiver for the Sea Tel 2400 Ku-band Antenna of the §25.115(g)(1)(vi) requirement that the Information submitted to satisfy §25.115(g)(1) Include plots measured with maximum skew as described in §25.132(b)(1)(iv).