

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Inmarsat, Inc.) IBFS File No. SES-PDR-20080303-00367
Request to Streamline Licensing of L-band)
Mobile-Satellite Service Terminals Using)
Inmarsat Satellites as Points of Communication)

ORDER

Adopted: October 20, 2008

Released: October 21, 2008

By the Chief, Satellite Division, International Bureau:

I. INTRODUCTION

1. By this Order, we make a change in the way in which we specify points of communications in licenses permitting mobile-satellite service (MSS) and fixed-satellite service (FSS) earth stations to communicate with Inmarsat1 satellites in the L-band2 in the United States. Specifically, we establish a list of Inmarsat satellites approved to serve the United States in the L-band. The list (the "ISAT List") will include Inmarsat satellites that have been found to meet the Commission's legal, technical, and policy requirements to access the U.S. market.3 The ISAT List will allow earth station licensees and applicants to seek authority to communicate in the L-band with satellites based upon the satellite listing on the ISAT List, rather than having to seek authorization to communicate with Inmarsat satellites on a satellite-by-satellite and orbital-location-by-orbital-location basis.4 We find that this alternative means for identifying points of communication will serve the public interest by eliminating duplicative and repetitive filings and by facilitating the more rapid deployment of satellite services to U.S. consumers.

1 Inmarsat, Inc. is a wholly-owned U.S. subsidiary of Inmarsat Holdings Ltd., which in turn is a wholly-owned subsidiary of Inmarsat plc, a corporation formed under the laws of the United Kingdom. Collectively, we use the term "Inmarsat" to refer to these companies. Inmarsat provides MSS in the L-band and operates a fleet of three second-generation (Inmarsat-2), five third-generation (Inmarsat-3), and three fourth-generation (Inmarsat-4) satellites in geostationary orbit pursuant to authorizations from the United Kingdom.

2 As used in this Order, the L-band encompasses frequencies from 1525-1544/1545-1559 MHz and 1626.5-1645.5/1646.5-1660.5 MHz. In the United States, the frequencies 1525-1544 MHz and 1626.5-1645.5 MHz are referred to as the "lower L-band" and 1545-1559 MHz and 1646.5-1660.5 MHz as the "upper L-band." The 1544-1545/1645.5-1646.5 MHz band is reserved for safety and distress communications pursuant to Footnotes 5.356 and 5.365 of the Table of Frequency Allocations. 47 C.F.R. § 2.106.

3 The current list is provided as an Appendix to this Order.

4 In this Order, we modify the licenses and pending applications of several operators who have already requested authority to communicate with Inmarsat satellites on the ISAT List. See paragraph 9, infra.

II. BACKGROUND

2. Inmarsat petitioned the Commission to change its existing designation of points of communications with Inmarsat satellites in the L-band.⁵ Currently, the Bureau designates points of communications for L-band earth stations seeking to communicate with Inmarsat satellites on a satellite-by-satellite and orbital-location-by-orbital-location basis.⁶ As a result, each time that Inmarsat launches or re-locates a satellite that serves the United States, earth station licensees must seek authority for the new point of communication. Because there are numerous earth station licensees using Inmarsat satellites, the result is the filing of multiple earth station applications containing essentially identical information concerning satellite operations.⁷

3. In its Petition, Inmarsat proposes that the Bureau create the “ISAT List,” which would include Inmarsat satellites that meet the Commission’s legal, technical, and policy requirements to access the U.S. market.⁸ This list would be maintained on the Bureau’s website.⁹ Inmarsat states that new or re-located satellites would be added to the ISAT List through the same process that it uses to request access to the U.S. market now. Specifically, Inmarsat would file a petition for declaratory ruling, or an earth station operator would file an application that demonstrates that the satellite satisfies all of the Commission’s legal, technical, and policy requirements.¹⁰ On June 11, 2008, Inmarsat provided a list of Inmarsat satellites that it proposed would appear on the ISAT List.¹¹

4. In addition, Inmarsat proposes that the Bureau use the term “ISAT” to specify authorized points of communication for any L-band earth station licensee seeking authority to communicate with an Inmarsat satellite on the ISAT List.¹² An applicant could request “ISAT” authority either in its initial license application or in a license modification.¹³ Inmarsat also proposes that the Bureau add newly-approved Inmarsat satellites to the ISAT List each time it approves a request for U.S. market access for a new or re-located Inmarsat satellite.¹⁴ In doing so, earth station licensees with “ISAT” authority would become authorized to communicate with the newly-approved satellites without having to file duplicative and repetitive applications.¹⁵

5. Inmarsat’s Petition was placed on public notice on April 2, 2008.¹⁶ Comments were filed

⁵ Inmarsat, Inc., Petition for Declaratory Ruling, IBFS File No. SAT-PDR-20080303-00367 (filed Mar. 3, 2008)(“Inmarsat Petition”).

⁶ See, e.g., Comsat Corp. d/b/a Comsat Mobile Communications, *Memorandum Opinion and Order*, 16 FCC Rcd 21661 (2001).

⁷ For example, Inmarsat reports that approximately a dozen entities have sought authority to communicate with its Inmarsat 4F2 satellite at 53° W.L. and/or its Inmarsat 3F4 satellite at 142° W.L. See Inmarsat Petition at 2.

⁸ Inmarsat Petition at 1-2.

⁹ Inmarsat Petition at 3.

¹⁰ Inmarsat Petition at 3.

¹¹ Letter from Diane Cornell, Vice President, Government Affairs, Inmarsat Inc., to Marlene H. Dortch, Secretary, FCC, dated June 11, 2008 (“Inmarsat June 11, 2008 Letter”).

¹² Inmarsat Petition at 3-4.

¹³ Inmarsat Petition at 4.

¹⁴ Inmarsat Petition at 4.

¹⁵ Inmarsat Petition at 4.

¹⁶ See Public Notice, Satellite Communications Services Re: Satellite Radio Applications Accepted for Filing, Report No. SES-01020 (Apr. 2, 2008).

in support by the following entities: Amtech Systems LLC; Comtech Mobile Datacom Corp.; Deere and Company; Horizon Mobile Communications, Inc.; iPass Inc.; MVS Fed, LLC; Thrane & Thrane Airtime Ltd.; and Vizada, Inc. No comments opposed the petition.

III. DISCUSSION

6. We find that adopting the alternative designation of points of communications will reduce the burden on applicants seeking authority to communicate with Inmarsat satellites by eliminating the need for repetitive and duplicative filings and will encourage the rapid deployment of services to U.S. consumers without unnecessary regulatory delay. We also observe that the proposed designation of points of communication is consistent with those that the Commission has utilized in other contexts for avoiding multiple filings that request essentially identical rulings.

7. For example, routine U.S. earth stations providing FSS in the conventional C- and Ku-bands are typically licensed to communicate in these bands with all U.S.-licensed satellites, as well as all non-U.S.-licensed satellites appearing on the Commission's Permitted Space Station List ("Permitted List").¹⁷ This is reflected by specifying "ALSAT" as the authorized point of communications on the license. Thus, once a new C- or Ku-band satellite is issued a U.S. license – or is placed on the "Permitted List" – U.S.-licensed earth stations containing "ALSAT" as a point of communication may immediately communicate with the new satellite, under the parameters authorized in their licenses, without any additional regulatory or licensing requirements.¹⁸ Creating "ISAT" as a point of communication will allow L-band earth station operators to enjoy similar benefits.

8. A list of Inmarsat satellites approved to serve the United States in the L-band is attached as an Appendix to this Order.¹⁹ This ISAT List will be posted on the website of the International Bureau.²⁰ The list provides for each Inmarsat satellite the satellite name, orbital location, and a file number where technical information can be found for the satellite. Inmarsat satellites and orbital locations can be added to the ISAT List through a petition for declaratory ruling by Inmarsat requesting the addition and demonstrating that the satellite's operations satisfy the Commission's legal, technical, and policy requirements.²¹ Earth station licensees with "ISAT" authority will become authorized to communicate in the L-band with the newly-approved Inmarsat satellites without having to file an application, provided that they can operate consistent with any conditions on the ISAT listing.

¹⁷ See Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States, *Report and Order*, 12 FCC Rcd 24094 (1997) ("DISCO II Order"), recon. granted in part, 15 FCC Rcd 7207 (1999) ("DISCO II Reconsideration Order") (establishing mechanisms for U.S.-licensed earth stations to communicate with any non-U.S. licensed space stations in the conventional C- and Ku-bands that appear on the Commission's Permitted List without additional Commission action).

¹⁸ See also Intelsat North America, LLC, Application for Authority to Modify Earth Station Authorization to Provide Launch and Early Orbit Phase (LEOP) Operations for Newly Launched Satellites, *Order and Authorization*, 21 FCC Rcd 14672 (Int'l Bur. 2006) (permitting communications with all U.S. licensed C-band satellites and non-U.S. licenses satellites on the Permitted List in order to provide launch and early orbit phase (LEOP) services, without the need for additional regulatory approvals, by requesting "LEOP" as a point of communication).

¹⁹ We do not include the Inmarsat 4F1 and 4F3 satellites in the ISAT List at this time. Inmarsat's request to include these satellites in the ISAT List will be addressed separately.

²⁰ The list may be accessed online at www.fcc.gov/ib/.

²¹ Inmarsat may file a Petition for Declaratory Ruling to add an Inmarsat satellite to the ISAT List prior to the filing of earth station applications to access the satellite, or it may wait until the Commission has approved an earth station application to access the satellite prior to filing a Petition for Declaratory Ruling to add the satellite. See 47 C.F.R. § 25.137.

9. In order to transition to this alternative method of designating points of communications, we shall add "ISAT" authority to the licenses of earth station operators who have filed comments requesting modification of their licenses to include communications with satellites on the ISAT List in the L-band.²² These operators are Amtech Systems LLC, Comtech Mobile Datacom Corp., Deere and Company, Horizon Mobile Communications, Inc., MVS Fed, LLC, Thrane & Thrane Airtime Ltd., and Vizada, Inc. L-band earth station licensees and applicants who have not to date requested to have ISAT listed as a point of communication may file a letter with the Commission within 30 days of the release of this Order requesting redesignation of their Inmarsat points of communication in the L-band as "ISAT." After that 30 day period, L-band earth station operators may seek ISAT as an authorized point of communication by filing applications to modify their licenses, or by amending pending applications.

IV. ORDERING CLAUSES

10. Accordingly, the petition for declaratory ruling filed by Inmarsat, Inc., IBFS File No. SES-PDR-20080303-00367, IS GRANTED, to the extent indicated above.

11. IT IS FURTHER ORDERED that the earth station licenses of the following operators ARE MODIFIED to list ISAT as an authorized point of communication: Amtech Systems LLC, Comtech Mobile Datacom Corp., Deere and Company, Horizon Mobile Communications, Inc., MVS Fed, LLC, Thrane & Thrane Airtime Ltd., and Vizada, Inc.

12. This Order is issued pursuant to the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Robert G. Nelson
Chief, Satellite Division
International Bureau

²² In the case of earth station operators with pending applications to communicate with an Inmarsat satellite in the L-band, we will add ISAT as a point of communication in connection with action on the application.

Appendix: ISAT List

Satellite Generation	Flight Number	Nominal Orbital Location	ITU Name	Applicant	Location of Technical Information	Call Sign
Inmarsat 3	F2	15.5 W.L.	INMARSAT-3 AOR EAST	Vizada Satellite, Inc.	<i>Comsat Corp.</i> <i>d/b/a Comsat</i> <i>Mobile Comms.,</i> 16 FCC Rcd 21661 (2001)	E00284
					SES-LIC- 20070416-00479	
					SES-AMD- 20070920-01300	
Inmarsat 3	F3	178 E.L.	INMARSAT-3 POR-2	Vizada Satellite, Inc.	<i>Comsat Corp.</i> <i>d/b/a Comsat</i> <i>Mobile Comms.,</i> 16 FCC Rcd 21661 (2001)	E000284
					SES-LIC- 20070416-00479	
					SES-AMD- 20070920-01300	
Inmarsat 3	F4	142 W.L.	INMARSAT-3 POR EAST	Vizada Satellite, Inc.	SES-MFS- 20071011-01413	KB34
				SkyWave Mobile Commun. Corp.	SES-MFS- 20080324-00342	E03055
					SES-AMD- 20080506-00551	
Inmarsat 4	F2	52.75 W.L.	INMARSAT-4 GSO-2L	Stratos Commun., Inc.	SES-LFS- 20050826-01175	E050249
					SES-AMD- 20051117-01590	