

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

In the Matter of)	
)	
Frontier Communications Northwest, LLC d/b/a Ziplly Fiber)	
)	
Request for Limited Waiver of the C-Band Filing Freeze and Section 25.138(c) of the Commission’s Rules)	IB Docket No. 20-205
)	
)	
Expanding Flexible Use of the 3.7 to 4.2 GHz Band)	GN Docket No. 18-122
)	

To: The Commission

REQUEST FOR WAIVER

Frontier Communications Northwest, LLC d/b/a Ziplly Fiber (“Ziplly”), pursuant to Section 1.3 of the Commission’s Rules, respectfully seeks a waiver of Sections 25.138(a) and 25.138(c) of the Commission’s rules.¹ Specifically, Ziplly requests that the Commission waive Section 25.138(a) and grant its application for a receive-only earth station registration, attached as Exhibit A, and waive the eligibility requirements in Section 25.138(c), so that Ziplly is considered an incumbent earth station operator in the 3.7-4.2 GHz band (“C-Band”) and eligible for reimbursement of C-band relocation costs.²

On May 1, 2020, Ziplly’s parent purchased³ video properties in Washington, Oregon, Idaho and Montana (the “Northwest Properties”) from Frontier Communications Corporation

¹ 47 C.F.R. §§ 1.3, 25.138(a) & (c).

² *Int’l Bureau Releases Preliminary List of Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States*, Public Notice, IB Docket No. 20-205 (rel. Jul. 6, 2020) (“July Public Notice”).

³ The equity in Frontier Communications Northwest, LLC was purchased by Northwest Fiber, LLC with Ziplly Fiber being adopted as the dba for Frontier Communications Northwest, LLC.

and Frontier Communications ILEC Holdings LLC (collectively, “Frontier”). The Northwest Properties were served by a Frontier earth station (i.e., headend) not included in the sale. Accordingly, to complete the purchase without an interruption of video service to customers in the Northwest Properties, Zply constructed its own video satellite reception facility before the transaction closed on May 1, 2020.

Nonetheless, the Commission’s freeze on new applications for earth stations in the C-Band – promulgated before Northwest Fiber, LLC, the purchasing entity, was even formed, let alone interested in the Northwest Properties – has prevented Zply from registering its new earth station facility to protect against interference from other potential signals in the C-Band.⁴ Moreover, the inability to register the facility also means that Zply is not included on the list of incumbent earth stations eligible for reimbursement for transition into the 4.0-4.2 GHz band.⁵ Fortunately, the International, Public Safety and Homeland Security, and Wireless Telecommunications Bureaus recognized the need for waivers in implementing the freeze and noted that waiver requests would be handled on a case-by-case basis upon a determination that the waiver will serve the public interest and not undermine the objectives of the freeze.⁶ As discussed below, there is good cause to grant Zply’s Request for Waiver.

I. BACKGROUND

On May 29, 2019, Frontier announced an agreement to sell its operations and all associated assets in Washington, Oregon, Idaho and Montana to WaveDivision Capital, LLC

⁴ *Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Stations and Fixed Microwave Stations in the 3.7-4.2 GHz Band*, Public Notice, 33 FCC Rcd 3841 (2018) (“Freeze Public Notice”).

⁵ See 47 CFR §25.138.

⁶ Freeze Public Notice at 3 (“The appropriate Bureau will consider requests for waiver of this freeze on a case-by-case basis and upon a demonstration that waiver will serve the public interest and not undermine the objectives of the freeze.”).

(“WDC”) in partnership with Searchlight Capital Partners, LLC.⁷ Frontier noted that the sale of the properties “reduces Frontiers debt and strengthens liquidity.”⁸ Frontier further noted its pleasure “to have a buyer with extensive experience building and operating advanced fiber-based communications assets in these regions. We will be working closely with the new owners to ensure a smooth, successful transition for our customers and the communities.”⁹ As the sale announcement noted, WDC, headed by Steve Weed, is based in Kirkland, Washington and has extensive technical, organizational and management experience in building and operating residential and business next generation fiber networks.¹⁰ Mr. Weed is the CEO of WDC and founder and former CEO of Wave Broadband with a proven track record of customer satisfaction by providing fast, reliable Internet connectivity with great service and support.¹¹

After announcing the acquisition, all parties worked diligently to consummate the transaction. Because the transaction included both voice and video services, it required regulatory approval by the Federal Communications Commission, US Department of Justice and applicable state regulatory agencies and certain local video franchise authorities. A key concern of all regulatory agencies was the uninterrupted provision of service and smooth transition of customers. In addition, timing was key given Frontier’s financial condition.

Unfortunately, the buyers faced a dilemma, as the Northwest Properties did not have facilities to receive satellite-based video services. Instead, Frontier served the Northwest Properties via other Frontier locations, predominantly its headend in Fort Wayne, Indiana. Thus,

⁷ *Frontier Communications Announces Sale of Operations in Washington, Oregon, Idaho, and Montana*, Frontier Press Release, available at <https://investor.frontier.com/news-and-events/press-releases/news-details/2019/Frontier-Communications-Announces-Sale-of-Operations-in-Washington-Oregon-Idaho-and-Montana/default.aspx>.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

the buyers needed to construct their own earth station and accompanying antennas to receive the video signals and assure uninterrupted service to the customers. Construction began in March 3, 2020 and was completed in time for the May 1, 2020 closing.

On April 14, 2020, Frontier filed a prepackaged Chapter 11 bankruptcy filing and a debt-for-equity swap that would erase about \$10 billion in balance sheet obligations.¹² The sale of the Northwest Properties was seen as an essential part of the restructuring which, along with debtor in possession financing, would provide Frontier with the capital needed to invest in and rebuild its other properties to provide faster broadband speeds.¹³ On April 27, 2020, the bankruptcy court entered an Order approving the proposed sale, and the sale subsequently closed on May 1, 2020. The transaction benefited consumers in numerous other properties that Frontier serves by easing financial pressures and serving as part of the re-organization vehicle that will allow Frontier to invest in faster broadband speeds in its remaining markets.¹⁴

The true benefactors of the transaction, however, were the consumers in the Northwest Properties now served by a company committed and financially able to bring high-speed fiber and other advanced services into their communities, especially the rural and small towns where Internet enhancements were hamstrung by Frontier's capital constraints. Zply has already announced a \$500 million investment commitment into improving its network and service in all four states, including engineering a state-of-the-art modern network "that is purpose-built for the internet."¹⁵ Plans include bringing fiber to more communities – currently only 30% of the

¹² See *Debt Troubled Frontier Hits Reset-Chapter 11 Filing Eases Debt, DIP Financing to Provide Capital for Network Rebuild*, Multichannel News (Apr. 20, 2020).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Zply Fiber Completes Acquisition of Frontier Communications' Northwest Operations, Raises \$2 Billion to Fund Purchase and Network and Service Improvements in Washington, Oregon, Idaho and Montana*, Zply Press Release, May 1, 2020, available at <https://get.zplyfiber.com/news/release/403>.

businesses and homes passed can connect through fiber – with an ultimate goal of passing over 85% of homes and business in the coming months and years.¹⁶ Ziplly’s plans also include projects slated for small rural towns often overlooked by national providers when it comes to broadband technology.¹⁷

Earlier this year, the Commission released a Report and Order adopting rules reforming the use of the 3.7-4.2 GHz band, repacking existing operations into the upper 200 MHz of the band to make 280 MHz of mid-band spectrum available for flexible use (plus a 20 MHz guard band).¹⁸ To receive relocation cost reimbursement, earth station operators in the 3.7-4.2 GHz band must qualify as an eligible incumbent by: (i) certifying the accuracy of the registration information in IBFS by May 28, 2019; (ii) filing modification/update to the registration during the April 19, 2018 – November 7, 2018 filing window; or (iii) filing a timely renewal application by May 28, 2019.¹⁹

II. GOOD CAUSE EXISTS FOR THE COMMISSION TO GRANT ZIPLY’S APPLICATION

Good cause exists for the Commission to waive its freeze on new applications and waive the C-Band relocation eligibility criteria to include Ziplly’s new receive-only earth station as eligible for transition into the 4.0-4.2 GHz band.

Put simply, it was impossible for Ziplly to file its application before the November 2018 freeze, as the earth station did not exist until Spring 2020. At the time of the Commission’s actions in 2018 and 2019, the Northwest Properties received satellite video signals by earth stations owned by other Frontier entities not part of the sale. Those Frontier earth stations

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122, Report and Order and Order of Proposed Modification, 35 FCC Rcd 2343, ¶ 4 (2020) (“C-Band Order”).

¹⁹ July Public Notice at 2.

remain owned by Frontier and remain part of the ongoing bankruptcy and reorganization.

Ziply's parent had no choice but to build an earth station to receive video signals and assure continued service to the customers. Further, that earth station was not functional until mid-April upon completion of construction and not operational until May 1, 2020 when the transaction closed.

Failure to grant this waiver and accepting Ziply's application (and waiving the eligibility deadlines so that Ziply can be treated as an incumbent operator for reimbursement purposes) will force Ziply to pay for the cost of transitioning to the 4.0-4.2 GHz band with no reimbursement from the money raised through the C-Band auction. This potentially perverse result cannot be the Commission's intention, as Ziply's parent had no choice but to design Ziply's earth station to accept the signals where the signals are located presently in the spectrum, not where the signals will be located after the transition. This new earth station will quickly become obsolete when the C-Band transition is complete. Without grant of this waiver, Ziply will have to spend additional funds solely because it was not in business prior to November 2018.

Here, the actions taken by Ziply and its purchasing parent carried out the Commission's top priority of closing the digital divide.²⁰ The company purchased the Northwest Properties as part of Frontier's prepackaged bankruptcy filing designed to provide Frontier with the capital needed to invest in and rebuild its other properties to provide higher broadband speeds. Consumers in the Northwest Properties acquired by Ziply now receive or will soon receive, fiber, increased broadband speeds and additional advanced services in capital starved markets,

²⁰ See *In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, 2020 Broadband Deployment Report, GN Docket 19-285, ¶1 (Apr. 20, 2020) ("For the past three years, the Commission's top priority has been closing the digital divide, in recognition that high-speed broadband and the digital opportunity it brings can be essential to innovation, economic opportunity, healthcare, and civic engagement in today's modern society").

especially small and rural markets. The bold investment and commitments to small and rural markets should not be discouraged by failing to accept Ziplly's earth station application, designating the earth station as eligible for transition into the 4.0-4.2 GHz band and including the earth station and its antennas on the International Bureau's List of Incumbent Earth Stations.

The Commission must look at the inequity to Ziplly and its parent of having made the investment and commitments with the purchase of the Northwest Properties only to be punished by having to essentially pay for two earth stations in three years. Failing to grant the waiver will take away funds from network improvements and fiber deployments all designed to bring more advanced broadband speeds in the small and rural communities Ziplly serves. The reasonable relocation costs of Ziplly's earth station to the 4.0-4.2 band should be included in the C-Band relocation costs and Ziplly's funds should be used to continue its fiber expansion and broadband network improvements, consistent with the Commission's top priority and the public interest. As the Commission previously acknowledged, special circumstances warrant a deviation from the general rule imposed by the freeze and such deviation will serve the public interest.²¹

III. GRANTING ZIPLY'S WAIVER WILL NOT UNDERMINE THE POLICY OBJECTIVES OF THE COMMISSION'S APPLICATION FREEZE

Granting Ziplly's waiver request and registering the earth station so that it can be eligible for relocation costs will not undermine the policy objectives of the rules. The application freeze was enacted to "preserve the options available to the Commission for consideration of additional uses of the band while limiting the potential for speculative applications that might be filed in anticipation of potential future actions by the Commission."²² Granting Ziplly's waiver will not

²¹ *WAIT Radio v. Federal Communications Com.*, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

²² Freeze Public Notice at 3

limit the options the Commission has for the band – that has been decided.²³ Moreover, Ziplly’s application is not speculative – Ziplly has constructed the earth station as described, along with the antenna on the attached Application.

Finally, granting Ziplly’s waiver will not delay or harm the Commission’s work. A copy of the Application is attached for filing.²⁴ The International Bureau just released a list of incumbent earth stations as of the date of this filing. Granting this waiver and allowing for the additional inclusion of one additional earth station and associated antenna should not be problematic.

IV. THIS REQUEST MEETS THE COMMISSION’S STANDARD FOR WAIVER

Section 1.3 of the Commission’s rules allow for the suspension, revocation, amendment, or waiver of any of the Commission’s rules for good cause shown.²⁵ Moreover, the International, Public Safety and Homeland Security, and Wireless Telecommunications Bureaus specifically stated in the Freeze Public Notice that the appropriate Bureau will consider waiver requests “upon a demonstration that waiver will serve the public interest and not undermine the objectives of the freeze.”²⁶ For the reasons stated herein, Ziplly’s Request for Waiver meets the Commission’s standards and is in the public interest.

Under its waiver rules, the Commission has the discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.²⁷ The Commission may grant a waiver of its rules where the requested relief will not undermine the policy

²³ C-Band Order, ¶ 4.

²⁴ Ziplly is filing its Application here, as Exhibit A, since the International Bureau Filing System, IBFS, is not accepting new filings. Ziplly will immediately pay the application fee upon the granting of the waiver and instructions on how to pay the fee given the freeze on the system.

²⁵ 47 C.F.R. § 1.3.

²⁶ Freeze Public Notice at 3.

²⁷ *Northeast Cellular Tel. Co., L.P. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).


objectives of the rule in question, special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.²⁸ The Commission may also take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.²⁹ Here, Ziplly's earth station and associated antenna did not exist at such times, and the definitive agreement giving rise to the need of the new earth station – the proposed sale – was not signed until May 29, 2019, well after the Commission's Freeze Public Notice.³⁰

V. CONCLUSION

As described above, there is good cause for the Commission to grant Ziplly's Request for Waiver. The Commission should grant Ziplly's application for a new receive-only earth station application and add the registration on the list of station eligible for reimbursement of C-band relocation costs.

**Frontier Communications Northwest, LLC d/b/a
Ziplly Fiber**

Respectfully submitted,

By: 

Bruce E. Beard
Scott Friedman
Cinnamon Mueller
1714 Deer Track Trail
Suite 230
St. Louis, MO 63131
(314) 394-1535

Attorneys for Frontier Communications
Northwest, LLC d/b/a Ziplly Fiber

August 3, 2020

²⁸ *WAIT Radio v. Federal Communications Com.* at 1159.

²⁹ *Id.*

³⁰ This was also after the deadline to timely certify the accuracy of earth station information on file with the Commission. *See* 47 C.F.R. § 25.138(c).

Declaration of Byron E. Springer, Jr.

My name is Byron E. Springer, Jr., and I am the General Counsel for Frontier Communications Northwest, LLC d/b/a Ziplly Fiber. I hereby certify under penalty of perjury that the facts stated in the foregoing Waiver Request are true and correct to the best of my knowledge, *information and belief.*


Byron E. Springer, Jr.

August 3, 2020

FEDERAL COMMUNICATIONS COMMISSION

APPLICATION FOR SATELLITE SPACE AND EARTH STATION AUTHORIZATIONS

Approved by OMB
3060-0678
Est. Avg. Burden Hours
Per Response: 0.25-24 hrs

FCC Use Only

File Number:

Call Sign:

Fee Number:

APPLICANT INFORMATION

1. Legal Name of Applicant Frontier Communications Northwest, LLC		2. Voice Telephone Number 425-250-8155	
3. Other Name Used for Doing Business (if any) ZiPLY Fiber		4. Fax Telephone Number	
5. Mailing Street Address or P.O. Box 135 Lake Street South, Suite 155 ATTENTION: Legal Department		6. City Kirkland	
		7. State / Country (if not U.S.A.) WA	8. Zip Code 98033
9. Name of Contact Representative (If other than applicant) Janet Leising		10. Voice Telephone Number	
11. Firm or Company Name Frontier Communications Northwest, LLC dba ZiPLY Fiber		12. Fax Telephone Number	
13. Mailing Street Address or P.O. Box 135 Lake Street South, Suite 155 ATTENTION:		14. City Kirkland	
		15. State / Country (if not U.S.A.) WA	16. Zip Code 98033

CLASSIFICATION OF FILING

17. Place an "X" in the box next to the classification that applies to this filing for both questions a. and b. Mark only one box for 17a and only one box for 17b.

<input checked="" type="checkbox"/> a1. Earth Station	<input type="checkbox"/> b1. Application for License of New Station	<input type="checkbox"/> b6. Transfer of Control of License or Registration
<input type="checkbox"/> a2. Space Station	<input checked="" type="checkbox"/> b2. Application for Registration of New Domestic Receive-Only Station	<input type="checkbox"/> b7. Notification of Minor Modification
	<input type="checkbox"/> b3. Amendment to a Pending Application	<input type="checkbox"/> b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
	<input type="checkbox"/> b4. Modification of License or Registration	<input type="checkbox"/> b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
	<input type="checkbox"/> b5. Assignment of License or Registration	<input type="checkbox"/> b10. Other (Please Specify): _____

18. If this filing is in reference to an existing station, enter:
Call sign of station:

19. If this filing is an amendment to a pending application enter:
(a) Date pending application was filed: _____ (b) File number of pending application: _____

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Place an "X" in the box(es) next to all that apply.

a. Fixed Satellite
 c. Radiodetermination Satellite
 e. Direct to Home Fixed Satellite
 b. Mobile Satellite
 d. Earth Exploration Satellite
 f. Digital Audio Radio Service
 g. Other (please specify) _____

21. STATUS: Place an "X" in the box next to the applicable status. Mark only one box.

a. Common Carrier
 b. Non-Common Carrier

22. If earth station applicant, place an "X" in the box(es) next to all that apply.

a. Using U.S. licensed satellites
 b. Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Mark only one box. Are these facilities:

a. Connected to the Public Switched Network
 b. Not connected to the Public Switched Network

24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).

a. C-Band (4/6 GHz)
 b. Ku-Band (12/14 GHz)
 c. Other (Please specify) _____

TYPE OF STATION

25. CLASS OF STATION: Place an "X" in the box next to the class of station that applies. Mark only one box.

a. Fixed Earth Station
 b. Temporary-Fixed Earth Station
 c. 12/14 GHz VSAT Network
 d. Mobile Earth Station
 e. Space Station
 f. Other (Specify) _____

If space station applicant, go to Question 27.

26. TYPE OF EARTH STATION FACILITY Mark only one box.

a. Transmit/Receive
 b. Transmit-Only
 c. Receive-Only

PURPOSE OF MODIFICATION OR AMENDMENT

27. The purpose of this proposed modification or amendment is to: Place an "X" in the box(es) next to all that apply.

a -- authorization to add new emission designator and related service
 b -- authorization to change emission designator and related service
 c -- authorization to increase EIRP and EIRP density
 d -- authorization to replace antenna
 e -- authorization to add antenna
 f -- authorization to relocate fixed station
 g -- authorization to change assigned frequency(ies)
 h -- authorization to add Points of Communication (satellites & countries)
 i -- authorization to change Points of Communication (satellites & countries)
 j -- authorization for facilities for which environmental assessment and radiation hazard reporting is required
 k -- Other (Please Specify) _____

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? YES NO

If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application.

A Radiation Hazard Study must accompany all applications as an exhibit for new transmitting facilities, major modifications, or major amendments. Refer to OET Bulletin 65.

ALIEN OWNERSHIP

29. Is the applicant a foreign government or the representative of any foreign government?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
30. Is the applicant an alien or the representative of an alien?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit, the identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.		

BASIC QUALIFICATIONS

35. Does the applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
36. Has the applicant or any party to this application had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of the circumstances.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
37. Has the applicant, or any party to this application, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of the circumstances.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of the circumstances.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If Yes, attach as an exhibit, an explanation of the circumstances.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, addresses, and citizenship of those stockholders owning of record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.		
41. By checking Yes, the undersigned certifies, that neither the applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. § 25.137, as appropriate. If no, proceed to question 43.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station? _____		

43. Description. (Summarize the nature of the application and the services to be provided).

Application for receive-only earth station in Everett, WA.

Exhibit No.	Identify all exhibits that are attached to this application.

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Place an "X" in the box next to applicable response.)
 a. Individual b. Unincorporated Association c. Partnership d. Corporation e. Governmental Entity f. Other
(Please specify) _____

45. Typed Name of Person Signing
Byron E. Springer, Jr.

46. Title of Person Signing
General Counsel

47. Signature
/s/ Byron E. Springer, Jr.

48. Date
8/3/2020

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

FEDERAL COMMUNICATIONS COMMISSION FCC 312 - Schedule A (Place an "X" in one of the blocks below)						FCC Use Only	
<input type="checkbox"/> CONSENT TO TRANSFER OF CONTROL		<input type="checkbox"/> CONSENT TO ASSIGNMENT OF LICENSE					
<input type="checkbox"/> NOTIFICATION OF TRANSFER OF CONTROL OF RECEIVE ONLY REGISTRATION		<input type="checkbox"/> NOTIFICATION OF ASSIGNMENT OF RECEIVE ONLY REGISTRATION					
A1. Name of Licensee or Registrant					A2. Voice Telephone Number		
A3. Mailing Street Address or P.O. Box					A4. Fax Telephone Number		
ATTENTION:							
A5. City				A6. State / Country (if not U.S.A.)		A7. Zip Code	
A8. List Call Sign(s) of station(s) being assigned or transferred						A9. No. of station(s) listed	
A10. Name of Transferor/Assignor (if different than licensee or registrant)				A15. Name of Transferee/Assignee			
A11. Mailing Street Address or P.O. Box				A16. Mailing Street Address or P.O. Box			
A12. City		A13. State/Country	A14. Zip Code	A17. City		A18. State/Country	A19. Zip Code
A20. If these facilities are licensed, is the transferee/assignee directly or indirectly controlled by any other entity? If Yes, attach as an exhibit, a statement (including organizational diagrams where appropriate) which fully and completely identifies the nature and extent of control including: (1) the name, address, citizenship, and primary business of the controlling entity and any intermediate subsidiaries or parties; and (2) the names, addresses, citizenship, and the percentages of voting and equity stock of those stockholders holding 10 percent or more of the controlling corporation's voting stock.						<input type="checkbox"/> YES	<input type="checkbox"/> NO
A21. If these facilities are licensed, attach as an exhibit, a complete statement setting forth the facts which show how the assignment or transfer will serve the public interest.							

CERTIFICATION

1. The undersigned, individually and for licensee, certifies that all attached exhibits pertinent to Schedule A and all statements made in Schedule A of this application are true, complete and correct to the best of his/her knowledge and belief. The undersigned also certifies that any contracts or other instruments submitted herewith are complete and constitute the full agreement.				
2. The undersigned represents that stock will not be delivered and that control will not be transferred until the Commission's consent has been received, but that transfer of control or assignment of license will be completed within 60 days of Commission consent. The undersigned also acknowledges that the Commission must be notified by letter within 30 days of consummation.				
A22. Printed Name of Licensee (Must agree with A1)		A23. Signature	A24. Title (Office Held by Person Signing)	A25. Date
A26. Printed Name of License Transferor/Assignor (If different than licensee. Must agree with A10)		A27. Signature	A28. Title (Office Held by Person Signing)	A29. Date
A30. Printed Name of License Transferee/Assignee (Must agree with A15)		A31. Signature	A32. Title (Office Held by Person Signing)	A33. Date

FEDERAL COMMUNICATIONS COMMISSION
SATELLITE EARTH STATION AUTHORIZATIONS
(Technical and Operational Description)

(Place an "X" in one of the blocks below)

License of New Station Registration of New Domestic Receive-Only Station Amendment to a Pending Application Modification of License/Registration Notification of Minor Modification

B1. Location of Earth Station Site. If temporary-fixed, mobile, or VSAT remote facility, specify area of operation and point of contact. If VSAT hub station, give its location. For VSAT networks attach individual Schedule B, Page 1 sheets for each hub station and each remote station. Individually provide the Location, Points of Communications, and Destination Points for each hub and remote station.

B1a. Station Call Sign N/A		B1b. Site Identifier (HUB, REMOTE1, etc.) SITE01		B1c. Telephone Number 704-488-1552		B1j. Geographic Coordinates Deg. - Min. - Sec. - N/S 47 55 16.71 N		B1k. Lat./Lon. Coordinates are: <input checked="" type="checkbox"/> NAD-27 <input type="checkbox"/> NAD-83			
B1d. Street Address of Station or Area of Operation 426 E, Casino Rd				B1e. Name of Contact Person Janet Leising				Lat. 47 55 16.71 N		<input type="checkbox"/> NAD-83	
B1f. City Everett		B1g. County Snohomish		B1h. State WA	B1i. Zip Code 98208		B1l. Site Elevation (AMSL) 25 meters				
Lon. 122 13 37026 W											

B2. Points of Communications: List the names and orbit locations of all satellites with which this earth station will communicate. The entry "ALSAT" is sufficient to identify the names and locations of all satellite facilities licensed by the U.S. All non-U.S. licensed satellites must be listed individually.

Satellite Name and Orbit Location	Satellite Name and Orbit Location	Satellite Name and Orbit Location
ALSAT		

B3. Destination points for communications using non-U.S. licensed satellites. For each non-U.S. licensed satellite facility identified in section B2 above, specify the destination point(s) (countries) where the services will be provided by this earth station via each non-U.S. licensed satellite system. Use additional sheets as needed.

Satellite Name	List of Destination Points

**FEDERAL COMMUNICATIONS COMMISSION
SATELLITE EARTH STATION AUTHORIZATIONS
FCC Form 312 - Schedule B: (Technical and Operational Description)**

If VSAT Network, provide the SITE-ID (Item B1b) of the station that B8-B13 are in response to (HUB, REMOTE1, etc.): SITE01

B8. If the proposed antenna(s) operate in the Fixed Satellite Service (FSS) with geostationary satellites, do(es) the proposed antenna(s) comply with the antenna gain patterns specified in Section 25.209(a) and (b) as demonstrated by the manufacturer's qualification measurements? If NO, provide as an exhibit, a technical analysis showing compliance with two-degree spacing policy.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO												
B9. If the proposed antenna(s) do not operate in the Fixed Satellite Service (FSS), or if they operate in the Fixed Satellite Service (FSS) with non-geostationary satellites, do(es) the proposed antenna(s) comply with the antenna gain patterns specified in Section 25.209(a2) and (b) as demonstrated by the manufacturer's qualification measurements?	<input type="checkbox"/> YES	<input type="checkbox"/> NO												
B10. Is the facility operated by remote control? If YES, provide the location and telephone number of the control point.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO												
<p>Remote Control Point Location:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="4" style="padding: 2px;">B10a. Street Address</td> </tr> <tr> <td style="width: 33%; padding: 2px;">B10b. City</td> <td style="width: 33%; padding: 2px;">B10c. County</td> <td style="width: 15%; padding: 2px;">B10d. State / Country</td> <td style="width: 19%; padding: 2px;">B10e. Zip Code</td> </tr> <tr> <td style="padding: 2px;">B10f. Telephone Number</td> <td colspan="3" style="padding: 2px;">B10g. Call Sign of Control Station (if appropriate)</td> </tr> </table>			B10a. Street Address				B10b. City	B10c. County	B10d. State / Country	B10e. Zip Code	B10f. Telephone Number	B10g. Call Sign of Control Station (if appropriate)		
B10a. Street Address														
B10b. City	B10c. County	B10d. State / Country	B10e. Zip Code											
B10f. Telephone Number	B10g. Call Sign of Control Station (if appropriate)													
B11. Is frequency coordination required? If YES, attach a frequency coordination report as an exhibit.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO												
B12. Is coordination with another country required? If YES, attach the name of the country(ies) and plot of coordination contours as an exhibit.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO												
B13. FAA Notification - (See 47 CFR Part 17 and 47 CFR Part 25.113(c)) Where FAA notification is required, have you attached a copy of a completed FCC Form 854 and/or the FAA's study regarding the potential hazard of the structure to aviation? FAILURE TO COMPLY WITH 47 CFR PARTS 17 AND 25 WILL RESULT IN THE RETURN OF THIS APPLICATION.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO												