

Approved by OMB
3060-0678

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
1/2005 Extension of E990402 STA

1. Applicant

Name:	Globecomm Systems, Inc.	Phone Number:	631-231-9800 x1
DBA Name:		Fax Number:	631-231-1557
Street:	45 Oser Avenue	E-Mail:	gjohnstonsr@globecommsystems. c
City:	Hauppauge	State:	NY
Country:	USA	Zipcode:	11788 -3816
Attention:	Gerry Johnston Sr.		



File # SES-STA-20041215-01850

Call Sign E990402 Grant Date 12/23/04
(or other identifier)

Term Dates
From 12/15/04 To: 2/13/05

Approved: Jeanette A. Spriggs

2. Contact

Name:	Michelle A. McClure	Phone Number:	202-728-0400
Company:	Irwin, Campbell & Tannenwald, P. C.	Fax Number:	202-728-0354
Street:	1730 Rhode Island Ave., N.W. Suite 200	E-Mail:	mmclure@ictpc.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -3101
Contact Title:		Relationship:	Legal Counsel

3. Reference File Number SESMOD2000042000658

4a. Is a fee submitted with this application?

If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

Governmental Entity Noncommercial educational licensee

Other (please explain):

4b. Fee Classification CGX - Fixed Satellite Transmit/Receive Earth Station

5. Type Request

Use Prior to Grant

Change Station Location

Other

6. Requested Use Prior Date

01/10/2005

7. CityHauppauge

8. Latitude

(dd mm ss.s h) 40 48 54.1 N

9. State NY	10. Longitude (dd mm ss.s h) 73 14 17.8 W
11. Please supply any need attachments. Attachment 1: Public Interest Attachment 2: Attachment 3:	
12. Description. (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">See Attachment 1</div>	
13. By checking Yes, the undersigned certifies that neither 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="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing Kenneth Miller	15. Title of Person Signing President
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).	

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

GLOBECOMM SYSTEMS, INC.

Station E990402

Extension of Special Temporary Authority to Communicate with Hispasat C-1 Satellite

NARRATIVE STATEMENT

Globecomm Systems, Inc. (GSI), licensee of earth station E990402, located in Hauppauge, New York, hereby requests an extension of the Special Temporary Authority (STA) initially granted to GSI on June 12, 2001 in connection with the above-referenced earth station. The STA gives GSI authority to operate E990402 in communication with the Hispasat C-1 satellite (Hispasat) for the purpose of developing and providing Internet-via-satellite technology to users in various Central and South American destinations, as well as Puerto Rico. Such users would otherwise have no such Internet access. Lifeline voice services for Americans in these countries is also provided.

On April 26, 2000, GSI filed an application with the Commission requesting authority to permanently modify Station E990402 to establish communications to these countries via Hispasat. See FCC File No. SES-MOD-20000-00658. Because the application specified operation in the 13.75 - 14.00 GHz frequency, the FCC sent the application to the NTIA for its review.

The STA, as granted, varied from the technical specifications set forth in the above-referenced modification request in that it specified a maximum EIRP of 64 dBW, below the Commission's minimum 68 dBW emission measurements. See 47 C.F.R. ' ' 25.204(f); 2.106 n5.502. The Commission granted a waiver of these rules in granting the underlying STA request, and in an e-mail dated May 24, 2002, sent to Sylvia Lam of the FCC, the NTIA indicated its acceptance of the E990402 operations below 68 dBW EIRP, as requested.

On June 28, 2002, after pending for over two years, the FCC dismissed the above-referenced modification application (specifying an EIRP of 72 dBW), based on a preliminary finding from the NTIA that the proposed E990402 operations failed to provide an adequate power flux density level to protect radiolocation receivers. The NTIA noted that this requirement was imposed as a result of increased homeland security concerns following the events of September 11. GSI undertook a detailed analysis of the power density flux requirements, and found that, based on its own engineering studies, the above-referenced application did, in fact, comply with the radiolocation protection requirements. As a result, GSI filed a petition for reconsideration of this dismissal on July 24, 2002, which remains pending.

As stated, GSI has been operating E990402 pursuant to an STA for over two years, and although it has been made clear to the end-users that the authority is by its very nature temporary, the length of time that the STA has been in effect has resulted in reliance by many end-users that service will not be interrupted. The E990402 operation has allowed GSI to use its technology to ensure that Internet services are available to provide lifeline information to American travelers and others in the above-referenced countries, where effective alternatives are currently unavailable. The public interest being served by this E990402 operations, cannot be stronger **B** it is allowing for telecommunications to be used in an area of the world where service would be otherwise unavailable.

In addition to the lifeline capabilities provided by the ongoing service, Internet access is one of the most effective ways to open societies to new ideas, democratic thinking, and provide essential information, making it easier for users to take advantage of the emerging opportunities presented by the Internet via satellite for educational and other purposes. Therefore, public rationale dictates that the STA be continued while the petition for reconsideration of the E990402 modification remains pending. Because the petition remains pending, the FCC staff has advised GSI to delay filing for authority to modify the E990402 authorization specifying the below 68 dBw EIRP operations.

The filing fee payment authorized in the amount of one-hundred and fifty-five dollars (\$155.00) will be submitted in connection with this extension request in accordance with the Commission's Rules.

By my signature below, I certify that no officer, director or shareholder of Globecomm Systems, Inc. is subject to denial of Federal benefits pursuant to Section 5301 of the Anti-Drug abuse Act of 1988, 21 USC '862a.

Respectfully submitted,
GLOBECOMM SYSTEMS, INC.
/s/ Kenneth Miller, President

Hsing Liu

From: Hsing Liu
Sent: Friday, December 17, 2004 3:15 PM
To: Scott Kotler
Cc: Jeanette Spriggs
Subject: Question?
 Scott,

Jeanette passed me a Ext of STA request from Globecomm Systems Inc. Its current STA was expired on 12/7/04. Our rule requires Ext to be filed at least 3 days before expiration. GSI filed the Ext on 12/14/04. This is of a period of 10 days discontinuation, without any explanation. Therefore, the Ext subjects to denial based on the 25.120(a) rule. I probably will act on it the next week.

But this is not my question. My questions are, how could we let GSI sits on eighteen continuous STAs for two and half years, without even addressing to its petition? Where is its petition now? What happened? I remember that I mentioned to the X-Branch Chief in June this year. I do not recall he made any effort to change it. He was silent.

The call sign for GSI is E990402. You may want to look up in the IBFS for yourself. Thanks

-Hsing

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SES - MOD - 20000420 - 00658 (dismissed 6/28/02)

SAT - 20020710 - 01056

SAT - 20020809 - 01308

SAT - 20020906 - 01471

SAT - 20021009 - 01754

SAT - 20021209 - 02097

SAT - 20030109 - 00031

SAT - 20030207 - 00142

SAT - 20030306 - 00272

SAT - 20030404 - 00428

SAT - 20030610 - 00831

SAT - 20030821 - 01151

SAT - 20031002 - 01359

SAT - 20031106 - 01573

SAT - 20040130 - 00154

SAT - 20040429 - 00614

SAT - 20040712 - 00979

SAT - 20040923 - 01421 (Expired 12/7/04) (previous STA)

SAT - 20041215 - 01850 (will be dismissed due to expiration)

12/20/2004

Hsing Liu

From: Scott Kotler
Sent: Wednesday, December 22, 2004 12:30 PM
To: Cassandra Thomas; Fern Jarmulnek; Karl Kensinger; Bill Howden; Thomas Tycz; John Martin
Cc: Hsing Liu
Subject: Globecomm Systems Inc STA Request (SES-STA-20041215-01850)

At today's 10 AM meeting, it was decided to GRANT the STA for 60 days beginning with the filed date (I assume this means the 15 Dec 04 Mellon Date rather than the 14 Dec 04 Filing date). Due to a gap from when the last STA expired (7 Dec 04) and the latest STA being filed, we will send this to Enforcement Bureau for possible action. Also, we will schedule a follow-on meeting in January to include Bill Howden to discuss steps needed to address the Petition for Reconsideration of the dismissal of the original application.

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-----Original Message-----

From: Scott Kotler
Sent: Monday, December 20, 2004 1:13 PM
To: Cassandra Thomas; Fern Jarmulnek; Karl Kensinger; Bill Howden; Thomas Tycz; John Martin
Cc: Hsing Liu; Penny Mason
Subject: Meeting on Globecomm Systems Inc STA Request (10 AM-Wednesday)

During today's Division meeting, I discussed the attached STA request from Globecomm Systems, Inc. The last STA was granted on 7 October 2004 (SES-STA-20040923-01421) and expired 7 December 2004. The attached STA was filed on 15 December 2004. The STA also discusses that they filed a petition for reconsideration which is still pending. Cassandra suggested that we meet at 10 AM on Wednesday. I assume the meeting will be in Tom's office?

<< File: SES-STA-20041215-01850 (Public Interest).pdf >> << File: SES-STA-20041215-01850.pdf >>

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