

E000180 SES-STA-20051216-01760 IB200500293:
Stratos Communications, Inc.

SES-STA-20051216-01760

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:
60 Day STA for E000180 to Allow Transition of Inmarsat M4 Service to New Inmarsat 4F2 Satellite

I. Applicant

Name:	Stratos Communications, Inc.	Phone Number:	301-214-8800
DBA Name:		Fax Number:	301-214-8801
Street:	6901 Rockledge Drive Suite 900	E-Mail:	
City:	Bethesda	State:	MD
Country:	USA	Zipcode:	20817 -
Attention:	Legal Department		



(subject to attached conditions)

File # SES-STA-20051216-01760

Call Sign E000180 Grant Date 01/18/06
(or other identifier)

Term Dates
From 01/18/06 To: 03/19/06

Approved: Cassandra C Thomas
Acting Division Chief

See attached conditions.

Stratos Communications, Inc.

IBFS File Nos. SES-STA-20051216-01760, SES-STA-20051216-01761, SES-STA-20051216-01762, SES-STA-20051216-01763, SES-STA-20051216-01764

The request of Stratos Communications, Inc. (Stratos) for special temporary authority (STA) IS GRANTED. Accordingly, Stratos is authorized from January 18, 2006 to March 19, 2006 to continue operations on the Inmarsat 4F2 satellite using mobile earth terminals (METs) previously authorized under call signs E000180, E010047, E010048, E010049, and E010050 to communicate with the Inmarsat 3F4 satellite in accordance with the terms, conditions, and technical specifications set forth in the Commission's rules and this document.

1. Neither the aggregate uplink EIRP densities in the direction of any other L-band satellite serving the United States, nor the downlink EIRP densities at any geographical point within the United States, shall be increased as a result of continuance on the Inmarsat 4F2 satellite of operations previously authorized on the Inmarsat 3F4 satellite.
2. Operations on the Inmarsat 4F2 satellite shall be on an unprotected basis. Stratos shall not claim protection from, and is required to accept interference from, other lawfully operating satellites or radiocommunication systems.
3. No later than February 17, 2006 a report must be submitted addressing whether, given the increased capacity of the Inmarsat 4F2 satellite relative to the Inmarsat 3F4 satellite, there would be any discontinuance of, or degradation of the reliability of, existing operations should access to the "loaned" spectrum be terminated. In the event that the report asserts that such discontinuation or degradation may occur, the report must include a detailed, quantitative explanation of the basis of this assertion. Any such explanation must also include a list of the end-users, including any U.S. government end-users, using METs that may operate in the "loaned" spectrum under this STA, a point of contact (name and telephone number) for each such end-user, and the number of METs associated with each such end-user. Any such explanation, to the extent that it claims that termination of operations on the "loaned" spectrum would degrade service on other frequencies, must include a list of the potentially affected end-users, including any U.S. government end-users, using METs operating under this STA, a point of contact (name and telephone number) for each such end-user, and the number of METs associated with each such end-user. Should the U.S. government users not authorize disclosure of frequencies or services used on the "loaned" spectrum, the report must include a point of contact (name and telephone number) for the associated end-user who can verify the government's use. For purposes of this condition, "loaned" spectrum is defined as those bandwidth segments that were loaned to Inmarsat by MSV and MSV Canada, either as part of the Revised 1999 Spectrum Sharing Arrangement (October 4, 1999), or later as bilateral arrangements between Inmarsat and MSV and Inmarsat and MSV Canada.
4. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at Stratos's own risk.
5. The grant of this STA is not based on a finding that Inmarsat's L-band operations are consistent with operation on a non-interference basis.
6. The grant of this STA is without prejudice to any future determination that the Commission may make as to whether Inmarsat's L-band operations are consistent with operation on a non-interference basis.
7. This STA may be terminated or modified at the International Bureau's discretion, without a hearing, if conditions warrant.

Stratos Communications, Inc.

IBFS File Nos. SES-STA-20051216-01760, SES-STA-20051216-01761, SES-STA-20051216-01762, SES-STA-20051216-01763, SES-STA-20051216-01764

8. Stratos must notify its customers in writing no later than February 17, 2006 that operations on the Inmarsat 4F2 satellite are pursuant to a 60-day grant of special temporary authority that may be terminated or modified at any time.
9. Authority granted in this STA is without prejudice to the disposition of the underlying modification applications in IBFS File Nos. SES-MFS-20051202-01665, SES-MFS-20051122-01614, SES-MFS-20051122-01615, SES-MFS-20051122-01616, SES-MFS-20051122-01617, SES-MFS-20051122-01618, SES-MFS-20051123-01626, SES-MFS-20051123-01627, SES-MFS-20051123-01629, SES-MFS-20051123-01630, and SES-MFS-20051207-01709.
10. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately.
11. Stratos is afforded thirty days from the date of release of this action to decline this special temporary authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the special temporary authorization as conditioned.

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I. Applicant

Name:	Stratos Communications, Inc.	Phone Number:	301-214-8800
DBA Name:		Fax Number:	301-214-8801
Street:	6901 Rockledge Drive Suite 900	E-Mail:	
City:	Bethesda	State:	MD
Country:	USA	Zipcode:	20817 -
Attention:	Legal Department		

2. Contact

Name:	Alfred Mamlet	Phone Number:	202-429-6204
Company:	Step toe & Johnson LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Ave., NW	E-Mail:	amamlet@step toe.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -1795
Attention:		Relationship:	Legal Counsel

(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)

3. Reference File Number SESMFS2005112201614 or Submission ID

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 CGB - Mobile Satellite Earth Stations

5. Type Request

Use Prior to Grant

Change Station Location

Other

6. Requested Use Prior Date

01/13/2006

7. City

8. Latitude

(dd mm ss.s h) 0 0 0.0

9. State	10. Longitude (dd mm ss.s h) 0 0 0.0
11. Please supply any need attachments. Attachment 1: STA Application Attachment 2: Roe Declaration Attachment 3: Cert. of Service	
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: 10px 0;">Stratos Communications, Inc. ('Stratos') requests special temporary authority to allow for the transition of the Inmarsat M4 service currently provided by the Inmarsat 3 satellite at 54 W.L. to the new Inmarsat 4F2 satellite at 52.75 W.L. Please see the attached narrative application for additional detail.</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 Paul Kugelman	15. Title of Person Signing Assistant Secretary
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.

DESCRIPTION OF STA REQUEST

By this application, Stratos Communications, Inc. ("Stratos") requests grant by January 13, 2006 of special temporary authority ("STA") for sixty (60) days to allow Stratos to maintain existing services to its currently licensed Inmarsat M4 terminals (call-sign E000180) with the recently launched fourth-generation Inmarsat satellite to be located at 52.75° W.L. ("Inmarsat 4F2").

No new service is implicated by this request. Stratos merely wants to continue to provide essential services, which have been licensed for more than four years, to the U.S. armed forces, Federal Emergency Management Agency ("FEMA"), U.S. Coast Guard, U.S. law enforcement, First Responders from state and local government, and important private sector customers.

Stratos recently filed a modification application (File No. SES-MFS-20051122-01614) for call-sign E000180 in order to add the Inmarsat 4F2 as a point of communication.¹ Stratos hereby incorporates by reference that modification application and its technical details and material for purposes of this STA request. The Stratos modification application was placed on Public Notice on December 7, 2005, and the time to file any Petitions and/or Comments on this modification application expires on January 6, 2006. On November 30, 2005, Mobile Satellite Ventures Subsidiary LLC ("MSV") filed a Notice of Intent to Participate, and in addition, it filed a Motion to designate the proceeding as "permit-but-disclose." *See* MSV Notice of Intent to Participate (Nov. 30, 2005); Motion to Designate Proceedings As "Permit-But-Disclose" (Nov. 30, 2005).

Since October 2001, Stratos has been licensed by the FCC to provide Inmarsat services domestically in the United States, including the operation of Inmarsat B, C, M, mini-M and M4 terminals.² As set forth in the attached Declaration of Robert J. Roe, Senior Vice President of Sales for Stratos, Stratos's customers for Inmarsat services encompass a wide range of U.S. customers, including the U.S. military, the Federal Government, state and local governments and private sector end-users. *See* Declaration of Robert J. Roe at ¶ 5 (Attachment B). U.S. military users include: the U.S. Army, Navy and Air Force. *See* Declaration of Robert J. Roe at ¶ 6. Federal Government users include: the State Department, the FCC, FEMA, the

¹ Additional modification applications were filed to modify the call-signs associated with the Stratos licenses to provide the Inmarsat M, mini-M, B and C services. Similar STA requests are being filed for each of these services.

² *See, e.g., In the Matter of COMSAT Corporation d/b/a COMSAT Mobile Communications et al.*, 16 FCC Rcd 21661 (rel. Oct. 9, 2001) ("Inmarsat Market Access Order").

U.S. Coast Guard and the Federal Bureau of Investigation. *See* Declaration of Robert J. Roe at ¶ 7. State and local government customers include: New York Fire Department, Los Angeles Fire Department and National Guard Units restoring devastated areas impacted by the recent hurricanes in the Gulf. *See* Declaration of Robert J. Roe at ¶ 8. U.S. private sector customers include: Chevron/Texaco, Global Santa Fe and Edison International (parent company of Southern California Edison). *See* Declaration of Robert J. Roe at ¶ 9.

As set forth in File No. SES-MFS-20051122-01614, the Inmarsat 4F2 is licensed by the United Kingdom and will be located at the 52.75° W.L. orbital location. It was launched on November 8, 2005. As set forth in File No. SES-MFS-20051122-01614, grant of the modification application is in the public interest, is consistent with the ORBIT Act³ and satisfies the Commission's *DISCO II* standard.⁴ Absent authority to communicate with the Inmarsat 4F2, Stratos will not be able to continue to provide the Inmarsat M4 service, licensed under call-sign E000180, to its existing or future customers because the M4 service, along with other Inmarsat services (including B, C, M and mini-M), will be migrated from the third generation Inmarsat satellite currently at 54° W.L. to the Inmarsat 4F2 satellite at 52.75° W.L.

Inmarsat is scheduled to migrate these services to the Inmarsat 4F2 on January 15, 2006. Stratos has been informed by Inmarsat that maintaining this schedule is necessary because the Inmarsat 3 satellite currently at 54° W.L. needs to be moved to 142° W.L. where it will replace a second generation Inmarsat satellite, which is running out of fuel and needs to be decommissioned shortly. This second generation satellite at 142° W.L. is currently providing essential Inmarsat lease services to the U.S. Navy and U.S. Coast Guard. *See* Declaration of Robert J. Roe at ¶ 4. An untimely migration of the "existing and evolved services" from the third generation Inmarsat satellite to the new Inmarsat 4F2 satellite would jeopardize the continuity of these essential services currently being provided by the second generation satellite at the 142° W.L. orbital location.

Since the current Public Notice period for the Stratos modification application is scheduled to expire on January 6, 2006 and MSV has already indicated its intent to participate in this application proceeding, Stratos believes that it is unlikely that the International Bureau will be able to act on the modification application in advance of the scheduled January 15, 2006 migration of the Inmarsat M4 service to the new Inmarsat 4F2 satellite at 52.75° W.L.⁵ Accordingly, Stratos is requesting this STA to ensure that there is no disruption of service to Stratos's existing Inmarsat M4 customers when Inmarsat migrates the services to the new satellite.

³ *See* 47 U.S.C. § 761 *et seq.*

⁴ *See Amendment of the Commission's Policies to Allow Non-U.S. Licensed Space Stations Providing Domestic and International Service in the United States*, 12 FCC Rcd 24094 (1997) ("*DISCO II*").

⁵ In all likelihood, Stratos and MSV will be in the middle of the pleading cycle for the Stratos modification application.

Grant of this STA request is in the public interest. As set forth above, the Inmarsat services provided by Stratos are used not only by private industry, but also by the U.S. military, Federal Government, and state and local government. The Inmarsat services are used by these entities to facilitate military communications, law enforcement and homeland security, emergency relief efforts, protect lives and safeguard property and to provide critical communications services to support business operations in remote areas. *See* Declaration of Robert J. Roe at ¶¶ 5-8. Grant of this STA request will ensure that these end-users do not experience any disruption to the Inmarsat services they currently use and rely on.

As stated by Mr. Roe, "Inmarsat services are used and critically relied upon by government 'First Responders' and private industry, as a flexible and mobile backup to terrestrial voice and data communications networks in the event that a natural disaster or terrorist attack takes place." *See* Declaration of Robert J. Roe at ¶ 10. Any disruption to the Inmarsat services used by First Responders would seriously compromise their ability to accomplish their critical missions. *See* Declaration of Robert J. Roe at ¶ 10.

"The necessity of Inmarsat services was clearly demonstrated in the aftermath of hurricanes Katrina, Rita and Wilma in the Gulf of Mexico. In response to these devastating natural disasters, Stratos saw a noticeable increase in the demand for the Inmarsat services it distributes. Several months later, Inmarsat services continue to play a vital role in the Gulf of Mexico region in connection with the recovery and restoration efforts being undertaken by FEMA, the National Guard, the U.S. Army, state and local governments, law enforcement personnel and the petroleum industry." *See* Declaration of Robert J. Roe at ¶ 11. In the words of Chairman Martin:

If we learned anything from Hurricane Katrina, it is that we cannot rely solely on terrestrial communications. When radio towers are knocked down, satellite communications are, in some instances, the most effective means of communicating.

See Written Statement of Chairman Kevin J. Martin at the Hearing on Communications in a Disaster before the U.S. Senate Committee on Commerce, Science and Transportation at 7 (Sept. 22, 2005). The grant of this STA would ensure that there is no disruption in service to these end-users currently using and relying upon Inmarsat services.

The Inmarsat services which currently are being provided over the Inmarsat satellite at 54° W.L. can and will be provided over the Inmarsat 4F2 at 52.75° W.L. without adversely affecting the interference environment that exists today with respect to other operating L-Band spacecraft. Specifically, (i) the EIRP spectral density of the proposed carriers on the Inmarsat 4F2 will be no greater than the EIRP spectral density of the same services provided today over the Inmarsat satellite at 54° W.L., (ii) the out-of-band emissions from the Inmarsat 4F2 carriers will not exceed the limits of §25.202(f) (1), (2) and (3), and (iii) no greater protection from interference into the Inmarsat 4F2 spacecraft or the Inmarsat mobile earth terminals, beyond the level of protection that exists today, is sought. In sum, during the term of this STA, these services can and will be provided on Inmarsat 4F2 within the technical envelope pursuant to which these services are currently provided on the third generation Inmarsat satellite currently located at 54° W.L.

Stratos understands that grant of this requested STA will be without prejudice to, and will be conditioned on, the Bureau's action on the underlying modification application (File No. SES-MFS-20051122-01614) to modify call-sign E000180 to add the Inmarsat 4F2 as an authorized point of communication.

For the reasons set forth above, Stratos respectfully requests that this STA be granted no later than January 13, 2006⁶ for sixty (60) days.

⁶ January 13, 2006 is the last business day before the planned January 15, 2006 cut-over to the Inmarsat 4F2 satellite of the "existing and evolved" services.

DECLARATION OF ROBERT J. ROE

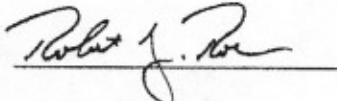
I, Robert J. Roe, hereby declare as follows:

1. I am Senior Vice President of Sales for Stratos Communications, Inc. ("Stratos").
2. Stratos currently holds licenses from the FCC to operate Inmarsat B, C, M, mini-M and M4 terminals in the United States. As set forth in these licenses, these Inmarsat terminals are permitted to communicate with a third generation Inmarsat satellite currently located at 54° W.L.
3. Stratos recently submitted applications to the FCC to modify these licenses in order to add as a new point of communication, a recently launched fourth generation Inmarsat satellite ("the Inmarsat 4F2") to be located at 52.75° W.L.
4. It is my understanding that the Inmarsat 4F2 satellite will replace the third generation Inmarsat satellite located at 54° W.L., and this third generation satellite will be moved by Inmarsat to 142° W.L., where it will replace a second generation Inmarsat satellite that is being decommissioned. Stratos currently provides Inmarsat lease services over the second generation Inmarsat satellite at 142° W.L. to the U.S. Navy and Coast Guard.
5. Stratos provides Inmarsat services to a wide range of U.S. military, federal government, state and local government, and private sector end-users in the United States.
6. The U.S. military uses Inmarsat services provided by Stratos to facilitate communications between the Navy's ships and military command centers on land, special forces operating in remote areas, and for personal communications for military troops. Some of Stratos' U.S. military customers using the Inmarsat services include: United States Army, Navy and Air Force.

7. The Federal Government uses Inmarsat services provided by Stratos for emergency relief efforts, law enforcement and homeland security. Some of Stratos' federal government customers of the Inmarsat services include: State Department, Federal Emergency Management Agency ("FEMA"), the U.S. Coast Guard and the Federal Bureau of Investigation.
8. Like the Federal Government, state and local governments routinely use the Inmarsat services provided by Stratos for law enforcement and in order to protect lives and safeguard property. Some of Stratos' state and local government customers of the Inmarsat services include: New York Fire Department, Los Angeles Fire Department and National Guard Units restoring devastated areas impacted by the recent storms.
9. The private sector, including numerous companies in the oil and gas industry, use the Inmarsat services provided by Stratos in order to provide critical communications services supporting their business operations in remote areas. Stratos's U.S. private sector customers of the Inmarsat services include: Chevron/Texaco, Global Santa Fe and Edison International (parent company of Southern California Edison). There is significant use of Inmarsat services being used by these firms today to restore operations devastated in the Gulf of Mexico
10. The Inmarsat services are used and critically relied upon by government "First Responders" and private industry, as a flexible and mobile backup to terrestrial voice and data communications networks in the event of a natural disaster, terrorist attack, takes place. In particular, any disruption to the Inmarsat services used by First Responders would seriously compromise their ability to accomplish their critical missions.

11. The necessity of Inmarsat services was clearly demonstrated in the aftermath of hurricanes Katrina, Rita and Wilma in the Gulf of Mexico. In response to these devastating natural disasters, Stratos saw a noticeable increase in the demand for the Inmarsat services it distributes. Several months later, Inmarsat services continue to play a vital role in the Gulf of Mexico region in connection with the recovery and restoration efforts being undertaken by FEMA, the National Guard, the U.S. Army, state and local governments, law enforcement personnel and the petroleum industry.

I, Robert J. Roe, hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information and belief.



Robert J. Roe
Senior Vice President of Sales
Stratos Communications, Inc.

Executed on December 15, 2005.

CERTIFICATE OF SERVICE

I, Brendan Kasper, an attorney with the law firm of Steptoe & Johnson LLP, hereby certify that on this 16th day of December, 2005, served a true copy of the foregoing "STA Request," by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

James Ball*
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