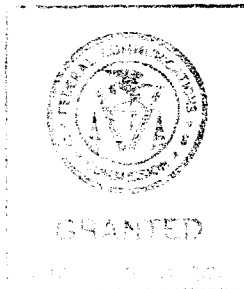


APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
60 Day STA for E030055 to Allow Transition of Inmarsat D+ Service to New Inmarsat 4F2 Satellite

1. Applicant

Name:	SkyWave Mobile Communications, Corp.	Phone Number:	6138364844
DBA Name:		Fax Number:	6138361088
Street:	30 Edgewater Street Suite 110 Ottawa	E-Mail:	ani.tourian@skywave.com
City:		State:	
Country:		Zipcode:	-
Attention:	Ms. Ani Tourian		



(subject to attached
conditions)

File # SES-STA-20051222-01788

Call Sign E030055 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.

SkyWave Communications, Inc.
IBFS File No. SES-STA-20051222-01788

The request of SkyWave Mobile Communications, Corp. (SkyWave) for special temporary authority (STA) IS GRANTED. Accordingly, SkyWave 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 sign E030055 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. SkyWave 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 SkyWave'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.

SkyWave Communications, Inc.
IBFS File No. SES-STA-20051222-01788

8. SkyWave 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. SkyWave 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.

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 E030055 to Allow Transition of Inmarsat D+ Service to New Inmarsat 4F2 Satellite

1. Applicant

Name:	SkyWave Mobile Communications, Corp.	Phone Number:	6138364844
DBA Name:		Fax Number:	6138361088
Street:	30 Edgewater Street Suite 110 Ottawa	E-Mail:	ani.tourian@skywave.com
City:		State:	
Country:		Zipcode:	-
Attention:	Ms. Ani Tourian		

2. Contact

Name:	Alfred Mamlet	Phone Number:	202-429-6205
Company:	Steptoe & Johnson, LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Ave., NW	E-Mail:	amamlet@steptoe.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 SESMFS2005120701709 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 Description Attachment 2: Tourian 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: 5px 0;"> SkyWave Mobile Communications, Corp. ('SkyWave') requests special temporary authority to allow for the transition of the Inmarsat D+ 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 further 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. <div style="text-align: right;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </div>	
14. Name of Person Signing Ani Tourian	15. Title of Person Signing Vice President of Finance and Administration
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).	

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to jboley@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

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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, SkyWave Mobile Communications, Corp. ("SkyWave") requests grant by January 13, 2006 of special temporary authority ("STA") for sixty (60) days to allow SkyWave to maintain existing services to its currently licensed Inmarsat D+ terminals (call-sign E030055) with the recently launched fourth-generation Inmarsat satellite to be located at 52.75° W.L. ("Inmarsat 4F2").

SkyWave is not asking to offer any new service. SkyWave merely wants to continue to provide the Inmarsat D+ service, which has been licensed for almost two years and is used by the Department of Defense, the Department of Homeland Security, Naval Surface Warfare Centre, the Drug Enforcement Agency ("DEA") and important private sector customers.

SkyWave recently filed a modification application (File No. SES-MFS-20051207-01709) for call-sign E030055 in order to add the Inmarsat 4F2 as a point of communication. SkyWave hereby incorporates by reference that modification application and its technical details and material for purposes of this STA request. The SkyWave modification application was placed on public notice on December 21, 2005. On December 8, 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 (Dec. 8, 2005); Motion to Designate Proceedings As "Permit-But-Disclose" (Dec. 8, 2005).

Since January 2004, SkyWave has been licensed by the FCC to provide Inmarsat D+ services domestically in the United States.¹ As set forth in the attached Declaration of Ani Tourian, Vice President of Finance and Administration for SkyWave, SkyWave's customers for Inmarsat services encompass a wide range of U.S. customers, including the U.S. military, Federal Government, Federal law enforcement and private sector end-users. *See* Declaration of Ani Tourian at ¶¶ 5-8 (Attachment B). U.S. military users include: Department of Defense Counter-Narcoterrorism Technology Program Office and the Naval Surface Warfare Centre. *See* Declaration of Ani Tourian at ¶ 6. Federal Government users include: Department of Homeland Security and the DEA. *See* Declaration of Ani Tourian at ¶ 7. U.S. private sector customers include: Teletouch, Optec and Global Secure Cargo. *See* Declaration of Ani Tourian at ¶ 8.

As set forth in File No. SES-MFS-20051207-01709, 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-20051207-01709, grant of the modification application is in the public interest, is consistent with the ORBIT Act² and satisfies

¹ *See Public Notice*, Report No. SES-00573 (rel. Jan. 28, 2004).

² *See* 47 U.S.C. § 761 *et seq.*

the Commission's *DISCO II* standard.³ Absent authority to communicate with the Inmarsat 4F2, SkyWave will not be able to continue to provide the Inmarsat D+ service, licensed under call-sign E030055, to its existing or future customers because the D+ service 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. SkyWave 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 Ani Tourian 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 the SkyWave modification application was just placed on public notice and MSV has already indicated its intent to participate in this application proceeding, SkyWave 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 D+ service to the new Inmarsat 4F2 satellite at 52.75° W.L.⁴ Accordingly, SkyWave is requesting this STA to ensure that there is no disruption of service to SkyWave existing Inmarsat D+ customers when Inmarsat migrates the services to the new satellite.

Grant of this STA request is in the public interest. As set forth above, the Inmarsat services provided by SkyWave are used not only by private industry, but also by the U.S. military and Federal Government. The Inmarsat services are used by these entities to track the location and behavior of assets like trucks or boats or other movable assets, and to monitor the status and condition of facilities to ensure they are functioning properly. *See* Declaration of Ani Tourian 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. Disruption of these services could jeopardize the success of these critical law enforcement and homeland security applications and endanger the security and safe operation of assets held by SkyWave's private sector clients. *See* Declaration of Ani Tourian at ¶9.

The Inmarsat D+ service which currently is 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

³ *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*").

⁴ In all likelihood, SkyWave and MSV will be in the middle of the pleading cycle for the SkyWave modification application.

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.

SkyWave 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-20051207-01709) to modify call-sign E030055 to add the Inmarsat 4F2 as an authorized point of communication.

For the reasons set forth above, SkyWave respectfully requests that this STA be granted no later than January 13, 2006⁵ for sixty (60) days.

⁵ 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 ANI TOURIAN

I, Ani Tourian, hereby declare as follows:

1. I am Vice President of Finance and Administration for SkyWave Mobile Communications, Corp. ("SkyWave").
2. SkyWave currently holds a license from the FCC to operate Inmarsat D+ terminals in the United States. As set forth in this license, the Inmarsat D+ terminals are permitted to communicate with a third generation Inmarsat satellite currently located at 54° W.L.
3. SkyWave recently submitted applications to the FCC to modify its license 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. It is my understanding that Inmarsat lease services are currently provided over the second generation Inmarsat satellite at 142° W.L. to the U.S. Navy and Coast Guard.
5. SkyWave provides Inmarsat services to a wide range of U.S. military, federal government, and private sector end-users in the United States.
6. The U.S. military uses the Inmarsat D+ service provided by SkyWave for homeland security and defense. Some of SkyWave's U.S. military customers using the Inmarsat services include: the Department of Defense Counter-Narcoterrorism Technology

Program Office, the Naval Surface Warfare Centre and various other related departments and agencies.

7. The Federal Government uses the Inmarsat D+ service provided by SkyWave for covert tracking applications. Some of SkyWave's federal government customers of the Inmarsat D+ service include: the Drug Enforcement Agency and the Department of Homeland Security.
8. The private sector, including land transport, security, and utilities, use the Inmarsat D+ service provided by SkyWave in order to provide asset security and management tools to ensure that assets are functioning properly. SkyWave's U.S. private sector customers of the Inmarsat D+ service include: Teletouch, Optec and Global Secure Cargo.
9. SkyWave's Inmarsat D+ service are used in law enforcement and homeland security applications relied on by the U.S. government and any disruption of the service could jeopardize the success of these critical applications. Further, disruption of SkyWave's Inmarsat D+ service could endanger the security and safe operation of assets held by SkyWave's private sector clients.

I, Ani Tourian, 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.



Ani Tourian
Vice President of Finance and Administration
SkyWave Mobile Communications, Corp.

Executed on December 20, 2005.

CERTIFICATE OF SERVICE

I, Brendan Kasper, an attorney with the law firm of Steptoe & Johnson LLP, hereby certify that on this 22nd 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* International Bureau Federal Communications Commission 445 12 th Street, S.W. Washington, DC 20554	Andrea Kelly* International Bureau Federal Communications Commission 445 12 th Street, S.W. Washington, DC 20554
Cassandra Thomas* International Bureau Federal Communications Commission 445 12 th Street, S.W. Washington, DC 20554	Scott Kotler* International Bureau Federal Communications Commission 445 12 th Street, S.W. Washington, DC 20554
Howard Griboff* International Bureau Federal Communications Commission 445 12 th Street, S.W. Washington, DC 20554	Karl Kensinger* International Bureau Federal Communications Commission 445 12 th Street, S.W. Washington, DC 20554
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