

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

In the Matter of                                 )  
  )  
Thrane & Thrane Airtime Ltd.            )           SES-STA-20060522-00857 (Call Sign E060179)

**OPPOSITION TO PETITION TO DENY**

By its attorney, and pursuant to Section 1.45 of the Commission's rules, 47 C.F.R. § 1.45, Thrane & Thrane Airtime Ltd. ("T&T Airtime") hereby submits its Opposition to the Petition to Deny the above-captioned application (the "Petition to Deny"), filed by Mobile Satellite Ventures Subsidiary LLC ("MSV"). For the reasons set forth above, MSV's contentions have no merit and should be rejected.

As MSV notes, T&T Airtime's underlying application for authority to operate Broadband Global Area Network ("BGAN") terminals using the Inmarsat-4 satellite at 52.75°W, along with its associated request for special temporary authority, is virtually identical to recent filings submitted by other entities, each of which MSV has previously petitioned to deny.<sup>1</sup> In each case, the Commission has previously rejected MSV's petitions to deny such applicants' requests for special temporary authority, and it should do so now, consistent with applicable agency precedent.<sup>2</sup>

In its Petition, MSV alleges that there are no "extraordinary circumstances" justifying T&T Airtime's request for special temporary authority, and that T&T Airtime has provided nothing to support its request other than "marketing considerations." MSV neglects to note,

<sup>1</sup> See Petition, p. 1; MSV Consolidated Petition to Deny, filed March 29, 2006.

<sup>2</sup> See, e.g., *Chadmoore Communications, Inc. v. FCC*, 113 F.3d 235 (D.C. Cir. 1997) and cases cited therein. T&T Airtime hereby incorporates by reference the Consolidated Joint Opposition to MSV's Consolidated Petition to Deny the virtually identical applications of Telenor Satellite Inc., MVS USA, Inc. and Stratos Communications Inc., filed April 6, 2006.

however, that the Commission has previously rejected this contention with respect to another similarly situated party whose request for special temporary authority MSV challenged on identical grounds.<sup>3</sup>

T&T Airtime in any event respectfully disagrees with MSV's allegations. As T&T Airtime noted in its application, "BGAN is needed as soon as possible by the U.S. military and the public safety community, which is seeking improved data speeds in the event of a large-scale natural disaster or terrorist attack." Grant of special temporary authority, T&T Airtime stated, would "allow government "First Responders" and private industry users time to obtain and deploy BGAN terminals and familiarize themselves with those terminals, as well as the BGAN services and features, so that BGAN can have immediate impact on any advance preparation or recovery effort that becomes necessary." Application Exhibit A, pp. 3-4.

In this regard, grant of special temporary authority would meet the expressed desires of government subscribers to the Inmarsat services of T&T Airtime's affiliate, Thrane & Thrane, Inc. ("T&T Inc.") (formerly LandSea Systems, Inc.), which has been licensed to serve as an Inmarsat Point of Service Activation for the United States and provide airtime to all international points in accordance with Section 63.18(e)(3) of the rules. File No. ITC-214-20030424-00203. T&T Inc. currently provides existing, non-BGAN Inmarsat services pursuant to this authorization, using third generation Inmarsat satellites. These Inmarsat services are used by a wide range of T&T Inc. customers, including the U.S. military, federal government, and private sector end-users in the United States. Federal Government users include the US Army, Air Force, Marine Corps, DEA, FBI, U.S. Departments of State, Justice and Homeland Security (including FEMA), U.S. Customs Service, U.S. Marshals Service, the Center for Disease Control,

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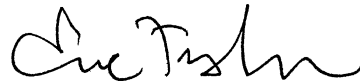
<sup>3</sup> See MSV Consolidated Petition to Deny; Opposition of Stratos Communications, Inc., filed April 7, 2006; and Commission grant of Stratos application for special temporary authority, granted May 12, 2006 (File No. ITC-STA-20060310-00149).

and NOAA. Many of these agencies have expressed interest in having access to BGAN service as soon as possible.

Grant of this application as amended will allow T&T Airtime to provide BGAN services to the above customers using fourth-generation Inmarsat satellites, thereby ensuring that the higher data speeds offered by BGAN will be available when the next natural disaster or terrorist attack takes place. Such preparedness is critical to the national welfare, and amply justifies the special temporary authority Thrane & Thrane Airtime seeks.

WHEREFORE, Thrane & Thrane Airtime respectfully urges the Commission to grant special temporary authority as requested by Thrane & Thrane Airtime, subject only to the condition that BGAN service be provided on a non-harmful interference basis pending action on the underlying application.

Respectfully submitted,



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June 1, 2006

## CERTIFICATE OF SERVICE

I, Eric Fishman, an attorney with the law firm of Holland & Knight LLP, hereby certify that on this 1<sup>st</sup> day of June, 2006, a true copy of the foregoing Opposition to Petition to Deny of Thrane & Thrane Airtime Ltd. was served by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

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