

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

In the matter of)	
)	
Stratos Communications, Inc.)	File No. SES-STA-20061103-01946 (Call Sign E050249)
)	
Telenor Satellite, Inc.)	File No. SES-STA-20061027-01898 (Call Sign E050276)
)	
BT Americas Inc.)	File No. SES-STA-20061101-01933 (Call Sign E060076)
)	
MVS USA, Inc.)	File No. SES-STA-20061106-01955 (Call Sign E050348)

JOINT REPLY

Stratos Communications, Inc., Telenor Satellite, Inc., BT Americas Inc., and MVS USA, Inc. (collectively, the “Licensees”), together with Inmarsat Ventures Limited (“Inmarsat”), oppose the “clarification,” and imposition of additional conditions, sought by Mobile Satellite Ventures Subsidiary LLC (“MSV”) on the renewal of special temporary authority (“STA”) to provide BGAN service over the Inmarsat-4 spacecraft (“I-4”).

The Licensees have successfully provided BGAN service over I-4 pursuant to STA for approximately six months. Since the transition of services from I-3 to I-4, Inmarsat services, including BGAN, have continued to serve a vital, and growing, role for U.S. federal, state and municipal governments, relief organizations and commercial users. Worldwide, there are nearly 6,000 active BGAN subscribers, with, on average, 350 to 400 new terminal activations each month. Where no other communications service can reach, or where weather or disasters preclude use of terrestrial networks, Inmarsat’s MSS system provides an instantaneously-available, reliable and highly secure communications link.

MSV does not oppose renewal of the BGAN STAs. Rather, MSV asks the Commission to modify the conditions applicable to these authorizations, and attaches: (i) MSV’s

pending Petition for Clarification, which seeks modification of the Licensees' current BGAN STAs; and (ii) MSV's Reply to the June 19, 2006 Joint Opposition to that Petition. The Licensees and Inmarsat fully responded to that pleading in their Joint Opposition, and incorporate the Joint Opposition by reference for inclusion in the record of these proceedings.¹

MSV also makes two additional requests. First, MSV asks that the Commission not modify Telenor's STA to increase the number of terminals from 5,000 to 20,000. Through this pleading, Telenor confirms that it seeks only to renew its existing STA for 5,000 terminals. Thus, MSV's request is moot.

Second, MSV requests that the Commission not extend the STAs beyond November 30, 2006, citing that date as the "official" end of this year's hurricane season. MSV's request is contrary to the facts and the law, and would disserve the public interest by removing a critical communications tool from the hands of first responders, public safety officials, relief workers, and commercial users.

As an initial matter, renewal of the STAs is consistent with Commission policy due to the delay in processing the underlying BGAN applications. The Commission has long recognized that grant of the STAs is appropriate in cases, such as this, where the underlying earth station applications have remained pending for a long period of time.² This "extraordinary

¹ Joint Opposition of the Licensees and Inmarsat, File Nos. SES-STA-20060310-00419 *et al.* (filed June 19, 2006) ("Joint Opposition").

² *Amendment of Part 25 of the Commission's Rules and Regulations*, 6 FCC Rcd 2806, 2810 ¶ 27 (1991). When adopting the current STA rules, the Commission observed that, "The majority of STA requests filed since the institution of this [stricter STA] policy have either been extensions of previously granted STAs for certain types of facilities or have been for non-routine applications that cannot be granted within sixty days," and expressly stated that it would consider STA requests "[w]hen an application cannot be routinely granted within sixty days." *Id.* ¶ 27 & n.69. All underlying BGAN applications have been pending for well over 60 days. Thus, the Licensees' BGAN STA requests meet the Commission's standard for STA.

circumstance” warranting grant of the STAs in the first place has only taken on greater force as delay has continued.

Moreover, contrary to MSV’s claims, the STA requests and subsequent pleadings *never* stated that the STAs should be granted solely because of the oncoming hurricane season. Rather, hurricanes are *illustrative* of the types of natural and other disasters for which BGAN is a powerful tool to support emergency preparedness and recovery. It is of critical importance that BGAN continue to be available to first-responders and relief organizations as part of their disaster preparedness and recovery programs, regardless of the nature of the disaster. Furthermore, since the STAs were issued, BGAN has begun to serve the daily needs of national security providers to, among other things, ensure the security of U.S. borders, ports, and other critical aspects of the United States infrastructure. Extension of the STAs is required to support those needs as well.

As a final matter, and as further discussed in the Joint Opposition, by all accounts, each Licensee has complied with the conditions of its STA. Nowhere does MSV dispute this – neither in MSV’s Comments, its Petition for Clarification, nor in its Reply. MSV again has failed to demonstrate that the current conditions have proven inadequate to constrain the potential for harmful interference to MSV. Simply stated, in contrast to the substantial public interest in ensuring that BGAN services continue to be available to U.S. government agencies, relief organizations, and industry, there are no countervailing harms to continued authorization of the provision of BGAN to the United States.

* * * * *

For these reasons, and the reasons set forth in the Joint Opposition, the Commission should renew the STAs without granting MSV’s request to “clarify,” or add further

conditions to, the renewal of the Licensees' STAs and without limiting the term to November 30, 2006.

Respectfully submitted,

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November 22, 2006

CERTIFICATE OF SERVICE

I, Jeffrey A. Marks, hereby certify that on this 22nd day of November, 2006, I caused to be served a true copy of the foregoing "Joint Reply," by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

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