

File # SES-STA-20070112-00112  
"Permit-but-Disclose" status under FCC ex parte rules

Call Sign E070006 Grant Date 08/14/07  
(or other identifier)

Before the  
**Federal Communications Commission**

From 08/14/07 until Washington, D.C. 20554  
end of proceeding

Approved: Cassandra C Thomas  
Cassandra C. Thomas, Deputy Chief  
Satellite Division )

International In the matter of  
\*ex parte status change only

Horizon Mobile Communications, Inc. ) SES-STA-20070112-00112  
) (Call Sign E070006)  
Request for Special Temporary Authority )

**MOTION TO DESIGNATE PROCEEDING AS "PERMIT-BUT-DISCLOSE"**

Horizon Mobile Communications, Inc. ("Horizon") hereby requests that the Commission designate the *ex parte* status of the above-captioned proceeding as "permit-but-disclose." Pursuant to the Commission's rules, "[w]here the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice." 47 C.F.R. § 1.1200(a).

Horizon has requested special temporary authority ("STA") to operate earth stations in the United States using the Inmarsat-4 ("I-4") satellite at 53° W.L., in connection with Horizon's pending underlying application for permanent authority.<sup>1</sup>

On January 10, 2007, Mobile Satellite Ventures Subsidiary LLC ("MSV") filed a "Motion to Designate Proceedings as 'Permit-But-Disclose'" ("MSV Motion"), which the International Bureau granted on January 18, 2007.<sup>2</sup> The MSV Motion asserted that the Horizon Application "raises policy issues concerning the management of L band spectrum, including technical issues, which are similar to issues raised by similar


<sup>1</sup> SES-LFS-20070109-00042, SES-AMD-20070426-00517 (the "Horizon Application").

<sup>2</sup> MSV also filed on January 10, 2007, a Notice of Intent to Participate in the Horizon Application proceeding, and on June 22, 2007, a Petition to Hold in Abeyance the Horizon Application. On January 18, 2007, MSV filed a Petition to Deny the STA request.

previously filed applications currently pending before the International Bureau... The International Bureau has already designated these previously filed applications as permit-but-disclose proceedings.”<sup>3</sup> MSV also asserted that “[a] free exchange of views, particularly with Commission engineers, will be useful in creating a more complete record.”<sup>4</sup> MSV used identical language when it previously sought permit-but-disclose status for other proceedings involving both applications for “full” authority and related STA requests seeking authority to operate earth stations using the I-4 satellite.<sup>5</sup> The International Bureau designated all of those proceedings as permit-but-disclose.

Any issues raised by the Horizon STA request are similar to issues raised by MSV in connection with other applicants that have sought special temporary authority while their applications for “full” authority, opposed by MSV, remain pending. Accordingly, based on the foregoing, Horizon respectfully requests that the Commission promptly designate the *ex parte* status of the above-captioned proceeding as “permit-but-disclose,” as it has for all similarly-situated applicants.

Respectfully submitted,

  
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August 7, 2007

<sup>3</sup> MSV Motion at 1-2 (footnote omitted).

<sup>4</sup> *Id.* at 2.

<sup>5</sup> *See, e.g.* SES-LFS-20060522-00852 and SES-STA-20060522-00857 (Call Sign E060179), Motion to Designate Proceedings as “Permit-But-Disclose,” May 23, 2006 (granted May 30, 2006); SES-STA-20060314-00438 (Call Sign E050284); SES-STA-20060315-00445 (Call Sign E060076); SES-STA-20060316-00454 (Call Sign E050348), Motion to Designate Proceedings as “Permit-But-Disclose,” Mar. 20, 2006 (granted Mar. 22, 2006).

## CERTIFICATE OF SERVICE

I, Sybil Anne Strimbu, hereby certify that on this 7<sup>th</sup> day of August 2007, I caused a true and correct copy of the foregoing *Motion to Designate Proceeding as "Permit-But-Disclose"* to be sent by first-class United States mail, postage prepaid, or by electronic mail (\*), to the following:

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