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September 4, 2008

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**BY HAND**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Application of Row 44, Inc. for Special Temporary Authority  
(File No. SES-STA-20080711-00928; Call Sign E080100)**

Dear Ms. Dortch:

Row 44, Inc. ("Row 44"), by counsel, hereby submits additional information concerning its above-referenced request for limited special temporary authority ("STA"). Row 44 originally sought permission, beginning August 1, 2008, to conduct tests employing up to twelve (12) aircraft Earth station ("AES") antennas operating in the 14.05-14.47 GHz transmit and 11.7-12.2 GHz receive bands. The company has separately sought a permanent aeronautical mobile satellite service ("AMSS") Earth station license in File No. SES-LIC-20080508-00570.

This letter is being submitted to provide the FCC with additional information concerning the revised scheduling considerations relating to this STA request. As detailed in its letter filed July 31, 2008, Row 44's initial request was premised on plans to commence limited mobility testing with two of its airline partners, Alaska Airlines ("Alaska") and Southwest Airlines ("Southwest"), on or about September 1, 2008. *See* Letter from David S. Keir, Counsel to Row 44, to Marlene H. Dortch, Secretary, FCC, dated July 31, 2008. Approval as of early August had been sought to permit Row 44 to conduct testing of a single mobile terminal for both evaluation and demonstration purposes prior to the tests involving Alaska Airlines ("Alaska") and Southwest Airlines ("Southwest").

Row 44 understands that the FCC has required a limited amount of additional technical information prior to completing the processing of both its pending STA and license applications. Row 44 has supplied this information as amendments to its pending application filed on August 19, 2008 and August 29, 2008. *See* File Nos. SES-AMD-20080819-01074 and SES-AMD-20080829-01117. Row 44 believes that, in the wake of these filings, the International Bureau



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now has sufficient data to grant it the limited interim authority that it sought in the pending STA request, pending and without prejudice to ultimate action on the underlying license application, against which a single Petition to Deny has been lodged.

Row 44's remote terminal has already been tested on a private aircraft in Canadian airspace on a limited basis pursuant to authority granted on July 24, 2008 by Industry Canada. IC File No. 157565 RH. This test employed the identical equipment and satellite transponders that are the subject of the pending STA request and application. Antenna performance was carefully monitored to ensure that the terminals were operating in compliance with FCC rules and within the scope of the coordination agreements covering adjacent satellites. No interference issues were identified, and all equipment performed as expected. Row 44 understands, of course, its obligation as a secondary service to avoid any harmful interference to primary users of the Ku-band, and to cease transmissions immediately in the event that such interference was to occur.

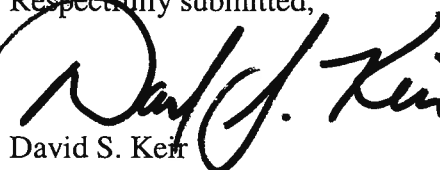
Following on the success of this initial trial, Row 44 has an immediate near-term need to operate the same remote terminal tested in Canada within the United States. Next Monday, the World Airline Entertainment Association will begin its annual show and conference in Long Beach, California. This is the premier annual industry event for providers of air-to-ground communication, and the only show held in the United States that is attended by major airlines from all over the world. For this reason, this five-day event presents a unique and important opportunity for Row 44 to promote its in-flight information and entertainment service to existing and potential customers. If Row 44 were unable to demonstrate its service offering during this event, it would significantly curtail its ability to promote the service for commencement during 2009. This annual show is the only economically affordable opportunity to showcase Row 44's U.S.-based technology to a host of foreign carriers. Moreover, advancement of this service will promote the development of FSS-compatible aeronautical-mobile applications and maximize efficient use of the Ku-band spectrum generally.

In addition, Row 44's planned trials on board airliners operated by Alaska and Southwest have now been rescheduled to commence beginning the final week of September, 2008. Grant of the limited mobility authority sought here for the operation of twelve aircraft-mounted terminals would allow installation of equipment to proceed following the Long Beach air show in time to meet this modified testing schedule. Row 44 is prepared to accept any appropriate STA limitations or conditions in order to permit it to proceed as outlined herein and in its initial STA application.



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Accordingly, in order to commence the limited in-flight testing outlined above during the week of September 8th, Row 44 requests grant of the authority requested in its July 11 STA application on or before that date. Should there be any questions regarding this matter, please contact the undersigned counsel.

Respectfully submitted,  
  
David S. Keir  
*Counsel to Row 44, Inc.*

cc: Helen Domenici, FCC\*  
Robert, Nelson, FCC\*  
Fern Jarmulnek, FCC\*  
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