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September 24, 2008

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BY HAND

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th 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:

This letter provides notice pursuant to Section 1.1206(b)(2) of the FCC's Rules (47 C.F.R. § 1.1206(b)(2)) that on Tuesday, September 23, 2008, representatives of Row 44, Inc. ("Row 44") met with the FCC staff members identified as receiving courtesy copies of this letter concerning the above-referenced request for limited special temporary authority ("STA"), filed July 11, 2008. Row 44 was represented at the meeting by John Guidon, its CEO, Jim Costello, its Vice President of Engineering and the undersigned counsel, David Keir of Leventhal Senter & Lerman PLLC.

The referenced proceeding has been designated a permit-but-disclose proceeding for *ex parte* purposes. See *Change in Ex Parte Status, Row 44 Applications Related to Call Sign E080100*, adopted September 19, 2008. Nonetheless, ViaSat, Inc. ("ViaSat"), which has opposed the STA request, was represented at the meeting by counsel, John Janka and Jarrett Taubman of Latham & Watkins, and Daryl Hunter, ViaSat's Director of Regulatory Affairs, who participated by telephone.

The purpose of the meeting was to provide FCC staff with additional information concerning Row 44's need to begin limited testing of aeronautical mobile Earth stations ("AESs") pursuant to the requested STA no later than October 1, 2008. Mr. Guidon presented background information concerning the company, its strategic partners, and its two major airline customers, Alaska Airlines and Southwest Airlines, as well as its proposed testing program. This discussion is reflected in the attached presentation materials.



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In addition, Row 44 emphasized the substantive and procedural distinctions between the STA request and the separate application for a permanent blanket license (File No. SES-LIC-20080508-00570). Row 44 noted that, via the STA, it seeks authority to phase in operation of no more than twelve (12) AESs, a quantity of deployed equipment equivalent to an experimental authorization, over a sixty-day period commencing during the week of September 29, 2008. (The permanent license application, in contrast, seeks authority to operate up to 1,000 AESs for a full fifteen year license period.) From a procedural standpoint, the STA request is covered by Section 309(c)(2)(G) of the Communications Act, which exempts it from public notice and comment procedures that apply to applications for long-term authority. Row 44 noted that the FCC may grant the STA application immediately based on the extensive information before it in the related application proceeding without soliciting or considering any further comment.

Row 44 also explained that its underlying application was complete under the FCC's rules when filed, and was quickly accepted for filing and placed on Public Notice in late May. In the intervening months, Row 44 has promptly responded to two staff requests for a modest amount of additional information, which were based to some degree on matters raised by ViaSat, Inc. in a Petition to Deny, and in a subsequent Reply. The only substantive change in the application has been a modest reduction in power. Row 44 noted that, in processing the STA, the FCC has the benefit of the entire record established in the licensing proceeding.

Finally, Row 44 pointed out that a key point in ViaSat's initial Petition was its assertion that, prior to authorization, Row 44 should conduct "extensive transmit/receive flight testing of its proposed antenna to establish that its AMSS system can operate on a moving platform ..." ViaSat Petition at 4 (filed June 27, 2008). Row 44 explained that it also believes that such testing, which the STA would make possible, would benefit the FCC in its processing of the underlying application. Row 44 noted that ViaSat's current opposition to grant of the limited STA request is fundamentally inconsistent with its prior endorsement of the value and importance of pre-grant in-flight testing.

Should there be any questions regarding this matter, please contact the undersigned counsel.

Respectfully submitted,



David S. Ker

Counsel to Row 44, Inc.

cc: Helen Domenici, FCC
Roderick Porter, FCC



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Karl Kensinger, FCC

Andrea Kelly, FCC

Scott Kotler, FCC

Stephen Duall, FCC

Kal Krautkramer, FCC

Frank Peace, FCC

Steven Spaeth, FCC

Trang Nguyen, FCC

John Janka, Counsel to ViaSat*

Served via electronic mail, except where noted

(*) by both electronic mail & U.S. mail

ROW



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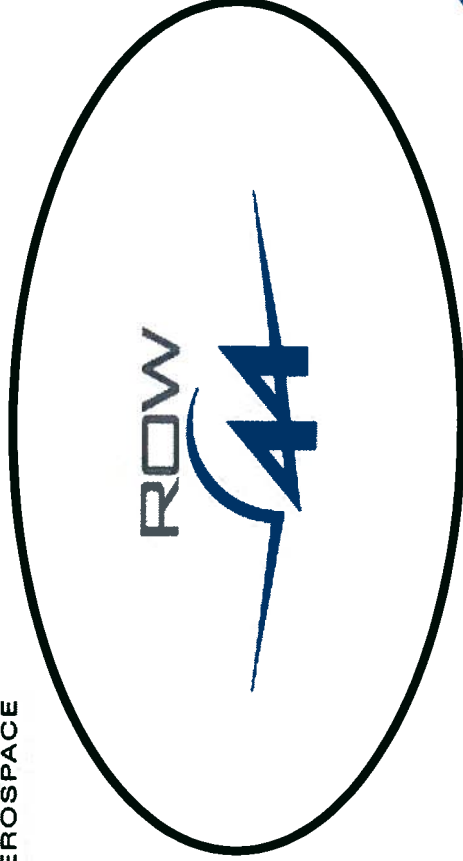


Row 44's Mission

- **Provide affordable Internet access to air travelers in flight**
 - Provide new revenue stream to Airlines**
 - Provide a product for wide, general use, not for the “Elite” few**
- **Small, Efficient Company Structure –**
 - Less than \$30 million total investment so far – zero revenues**
 - Approximately twenty employees**
- **Growth: Row 44 is projected to generate hundreds of millions of dollars in a global market, and to provide many high-value employment opportunities here in America through both Row 44 and its technology partners.**



Row 44's Development Partners



AP Labs



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Row 44's Innovation

- **Row 44 has pushed the state of the art in antenna design --**
Antenna technology has improved greatly over the last 4
years.
Row 44 has found economical solutions where expensive
solutions have been the norm, without compromising service
quality.
- **Row 44's product will promote the efficient use of limited Ku-**
Band resources

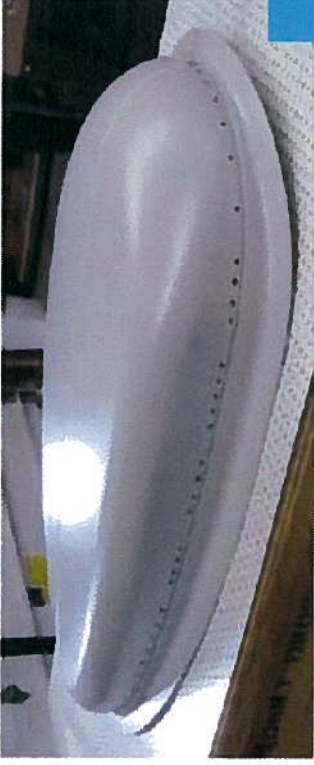


The Antenna



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Major Components



- Radome/Ring
- Ku Antenna



- HPT: High Power Transceiver
- MDU: Modem Data Unit
- SMU: Server Management Unit
- ACU: Antenna Control Unit
- CWLU: Cabin Wireless LAN Unit

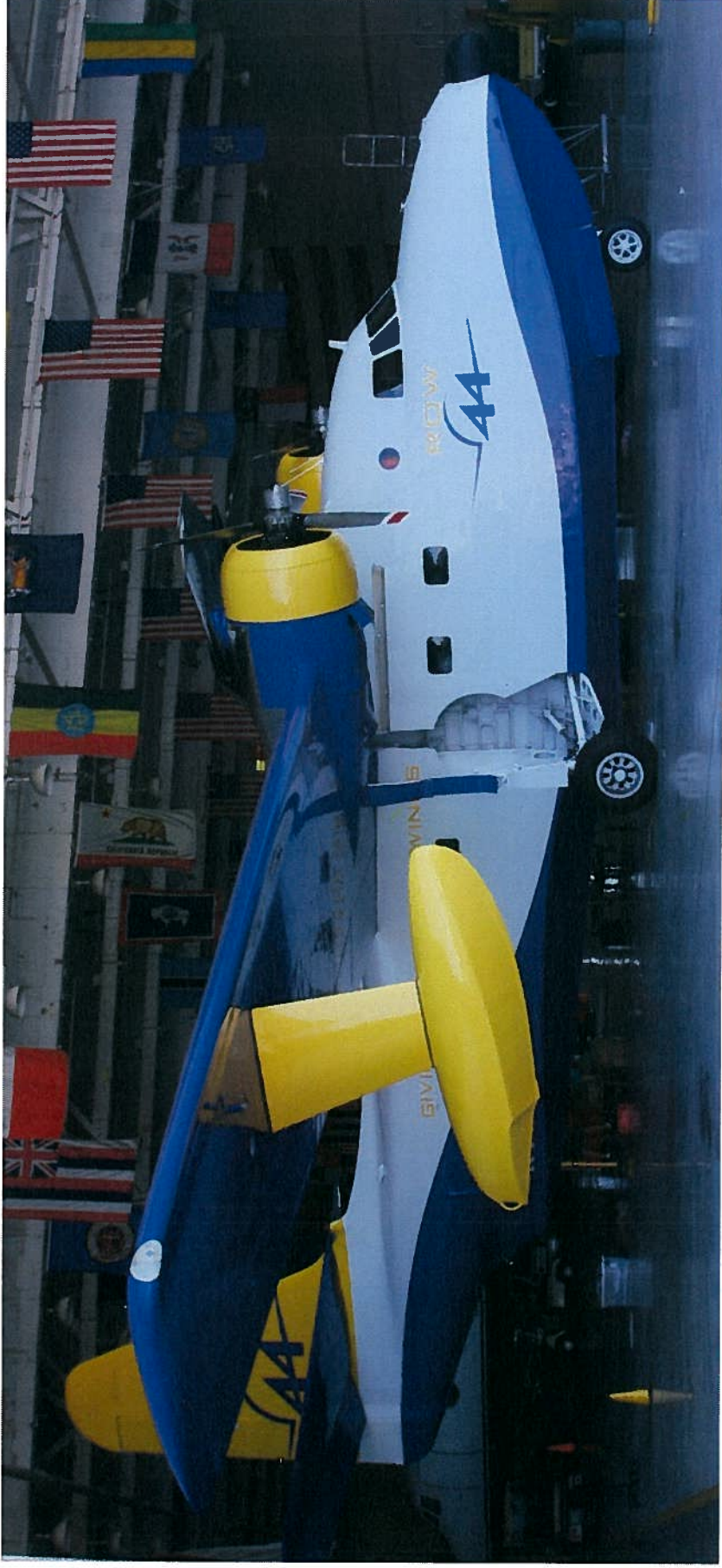


Row 44's Customer Success

- **Working with Alaska Airlines toward a 1-aircraft trial**
- **Working with Southwest Airlines toward a 4-aircraft trial**
- **Both Airlines are anticipating full-scale deployment beginning early in the First Quarter of 2009.**



Row 44's Test Plane



Row 44 has equipped a 1950s era Grumman flying boat as a test vehicle, and has conducted successful tests in Canada, validating all performance parameters under actual flight conditions.

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Row 44's STA Application

- **Row 44 filed its application for an FCC blanket license on May 8, 2008.**
- **As of mid-June, Row 44 has obtained the required coordination letters from the satellite operators and has reached coordination agreements with NASA and NSF.**
- **The System is approved in Canada and additional approvals from other administrations are expected soon.**
- **Row 44 is asking in its request filed July 11, 2008 for an STA to allow flight trials and tests to go ahead in the US.**



Thank you!

www.Row44.com
818-706-3111

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