September 3, 2008

STEPHEN D. BARUCH (202) 416-6782 **E-MAIL** SBARUCH@LSL-LAW.COM

> DIRECT FAX (202) 429-4626

HAND DELIVERY

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

Re:

Request of MTN License Corp. ("MTN")

for Special Temporary Authority File No. SES-STA-INTR2008-02095

Dear Ms. Dortch:

MTN License Corp. ("MTN"), by its attorneys, hereby provides this supplemental information ("Supplement") in connection with its pending August 29, 2008 request for Special Temporary Authority, File No. SES-STA-INTR2008-02095, to operate two 1.2 meter earth station on vessel-type ("ESV-type") remote earth terminals on board a train traveling in the northeast and mid-Atlantic region later this month. This Supplement covers the following six matters:

- 1. MTN clarifies that whereas its STA Request was for 60 days pursuant to Section 25.120(b)(3) of the Commission's Rules, the specific operations MTN seeks to perform are scheduled to commence with installation testing on September 5, 2008, and take place during the period of September 14-19, 2008. Under these circumstances, a 60-day STA is not required. A 30-day STA term should provide MTN with enough schedule flexibility to accomplish its customers' objectives. Accordingly, MTN revises the proposed term to specify 30 days, commencing on September 5, 2008.
- 2. To avoid any potential radiofrequency interference issues with radioastronomy observations that are conducted from several sites around the country in the upper portion of the 14.0-14.5 GHz transmit band, MTN specifies that for this temporary authorization, uplink operations will not take place in the 14.47-14.5 GHz band. This limitation is voluntary, and without prejudice to specifications regarding the same equipment that may be sought in future



Ms. Marlene H. Dortch September 3, 2008 Page 2

MTN applications. Moreover, MTN will not operate the terminals proposed in this STA Request within the area around the National Radio Astronomy Observatory site at Green Bank, WV that is specified in Section 25.203(f) of the Commission's Rules.

- 3. The nature of the remote terminals' transmit operation is that when a transmission is set to commence, the terminal will emit a narrow pulsing signal that notifies the MTN Network Operations Center ("NOC") that satellite capacity should be assigned. The NOC dynamically assigns the transmit and receive frequencies to the terminals, and only then do uplink operations commence. Because the terminals proposed here will be operated through MTN's ESV NOC, there will be full data logging in the manner specified in Section 25.222(c)(1) of the Commission's Rules, and MTN will make the recorded data available on request to a coordinator, fixed system operator, fixed-satellite system operator, NTIA or the Commission within 24 hours of the request.
- 4. Operations pursuant to this STA will be with one of three satellites Estrela do Sul 1 (at 63° W.L.), SATMEX 5 (at 116.8° W.L.), or Galaxy 27 (at 129° W.L.). These satellites are either U.S.-licensed or included on the Commission's Permitted Space Station List.
- 5. The two proposed terminals are to be mounted on the rear of a single locomotive (as shown in the Enclosure to this Supplement). The measurements shown on the Enclosure are in inches. The installation will be performed by trained professionals, and the area of operation will not be accessible to members of the public. The installation will not adversely affect air navigation, as the height of the radomes within which the terminals are installed will be at or just above the overall height of the highest point on the locomotive, and will in any event be below 6.1 meters (20 feet).
- 6. MTN notes that the Commission's rules do not include a secondary mobile-satellite service allocation in the 11.7-12.2 GHz band in which MTN's proposed remote terminals would conduct receive operations. To the extent it may be necessary to do so for an STA, MTN requests a limited waiver of the allocation rule to permit the proposed operations. A waiver would not contravene the purpose of the rules, as the operations in the space-to-Earth direction are downlinks from fixed-satellite service satellites that operate in the band on a primary basis. Moreover, there is a public interest in grant of the STA, as it will facilitate a national television broadcast and expand the scope and reach of satellite services in a manner consistent with the current interference environment and limitations.



Ms. Marlene H. Dortch September 3, 2008 Page 3

MTN urges prompt Commission action on its above-referenced STA Request, as now Supplemented. MTN stands prepared to answer any questions the Commission may have or provide any additional information the Commission may need.

Respectfully submitted,

Stephen D Baruch

Attorney for MTN License Corp.

Enclosure

cc (w/encl., by e-mail): Mr. Robert Nelson

Mr. Scott Kotler Stephen Duall, Esq. Steven Spaeth, Esq. Howard Griboff, Esq.

Mr. Paul Locke

