

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
STA

1. Applicant

Name:	VSAT Systems, LLC	Phone Number:	330-785-2100 x104
DBA Name:		Fax Number:	419-818-1978
Street:	1520 South Arlington Street	E-Mail:	mike. kister@satventuresmanagement. com
City:	Akron	State:	OH
Country:	USA	Zipcode:	44306 -
Attention:	Michael Kister		

"Condition Attached"



File # SES-STA-20090508-00573

Call Sign E090086 Grant Date 5/26/09
(or other identifier)

From 5/26/09 Term Dates To: 7/24/09

Approved: Jeanette D. Sprigg

Attachment

SES-STA-20090508-00573
E090086

Condition:

This is granted without prejudice to any future FCC enforcement action against VSAT Systems, LLC in connection with any unauthorized operation of radio facilities.

2. Contact

Name:	Donna Balaguer	Phone Number:	202-626-7719
Company:	Fish & Richardson P.C.	Fax Number:	202-783-2331
Street:	1425 K Street N.W. 11th Floor	E-Mail:	balaguer@fr.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20005 -
Attention:	Donna Balaguer	Relationship:	Legal Counsel

(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)

3. Reference File Number or Submission ID

4a. Is a fee submitted with this application?

If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

Governmental Entity Noncommercial educational licensee

Other (please explain):

4b. Fee Classification CGV – Fixed Satellite VSAT System

5. Type Request

Use Prior to Grant

Change Station Location

Other

6. Requested Use Prior Date

7. City Akron

8. Latitude
(dd mm ss.s h) 41 1 51.5 N

9. State OH	10. Longitude (dd mm ss.s h) 81 29 33.7 W
11. Please supply any need attachments. Attachment 1: STA Exhibit Attachment 2: New License Attachment 3: Exhibits	
12. Description. (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">VSAT Systems, LLC seeks to license a Ku-band VSAT Network.</div>	
13. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. <input checked="" type="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing Michael Kister	15. Title of Person Signing President
WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).	

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

Pursuant to Section 25.120 of the Commission's rules, VSAT Systems, LLC ("VSAT Systems") hereby requests Special Temporary Authority ("STA") to operate a VSAT network. The technical parameters of the network are identified in an application for a new license filed contemporaneously with this STA request. A copy of that application is attached hereto.

VSAT Systems provides broadband Internet and data services, via satellite, to non-profit and charitable organizations, tribal entities, businesses, public safety and homeland security agencies, and other government users. Many of these users are located in rural and under-served areas and would not otherwise have access to affordable broadband service. In addition to Internet connectivity, the VSAT Systems network enables users to subscribe to third party IP phone services, bringing telephone service to users in remote locations where access to traditional telephone service is not available.

VSAT Systems entered the satellite broadband market as an authorized reseller of a national satellite company which held the FCC licenses for the satellite operation. When that relationship terminated unexpectedly, VSAT Systems built a VSAT network in order to continue service. A RF Engineer of VSAT Systems, who was not employed by the company at the time the network was constructed, recently began centralizing all of the records for the network so that the technical and related information could be maintained and accessed by VSAT Systems' employees online. As a result of this effort, VSAT Systems learned it does not have the requisite license for the network set forth in the attached application, apparently owing to the fact that VSAT Systems was not involved in the FCC licensing of the network on which it formerly served as a reseller and was therefore unfamiliar with the process. VSAT Systems took immediate action to prepare the necessary applications and voluntarily brings this matter to the Commission's attention.

Pursuant to Section 1.3 of the Commission's rules, VSAT Systems requests a waiver of Sections 25.102 and 25.120(a) and such other Commission rules as may be necessary to permit grant of the requested STA and operations of its VSAT network. VSAT Systems submits that the STA is necessary to service the public interest and, without it, the public interest would be seriously prejudiced. *See* 47 C.F.R. § 25.120(b)(1).

As noted above, VSAT Systems serves a cross-section of users, including many governmental subdivisions and other agencies that protect public safety and respond to emergencies and natural disasters. Current users of the network include international charitable disaster response organizations; national and local emergency management agencies; fish and wildlife agencies; oil, gas and mining companies; Native American entities; safety and security providers; and the military services. In many instances, these users do not have access to affordable alternative methods of broadband connectivity and, for some users, it is believed that the network is a crucial mode of broadband access in the event of terrestrial outages. For example, VSAT Systems' broadband satellite service provided the only available connectivity that was used by multiple public safety agencies during a hurricane when terrestrial broadband

services failed. The Commission has recognized that satellite communication is a crucial element in public safety and emergency response situations.¹

As described above, continued service on the VSAT Systems network is vital to its users, particularly those engaged in public safety, homeland security and emergency response. Accordingly, VSAT Systems respectfully requests the expeditious grant of this STA.

¹ For example, the Commission's Public Safety and Homeland Security Bureau recommends that first responders have contracts in place, prior to emergencies, to ensure access to critical and back-up telecommunications services, such as fixed and mobile satellite systems. See <http://www.fcc.gov/pshs/emergency-information/guidelines/first-responders.html>. The Association of Public-Safety Communications Officials has also stated that satellite provides a unique and important method for public safety to plan around the hazards of earth-based infrastructures that are susceptible to natural and manmade catastrophes. See First Responder's Guide to Satellite Communications, posted on the Commission's website at http://www.fcc.gov/pshs/docs-basic/SIA_FirstRespondersGuide07.pdf.