

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
Mobility STA Extension (July 2009)

1. Applicant

Name:	Row 44 Inc.	Phone Number:	818-706-3111
DBA Name:		Fax Number:	
Street:	31280 Oak Crest Drive, Suite 5	E-Mail:	jbcostello@cox.net
City:	Westlake Village	State:	CA
Country:	USA	Zipcode:	91361 -
Attention:	Jim Costello		



File # SES-STA-20090709-00854

Call Sign E080100 Grant Date 7/14/09
(or other identifier)

From 7/14/09 Term Dates To: 9/11/09

Approved: Joanette D. Spriggs

2. Contact

Name:	David S. Keir	Phone Number:	(202) 429-8970
Company:	Lerman Senter PLLC	Fax Number:	(202) 293-7783
Street:	2000 K Street, N.W. Suite 600	E-Mail:	dkeir@lermansenter.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -
Attention:	David Keir	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 SESLIC2008050800570 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 CGB – Mobile Satellite Earth Stations

5. Type Request

- Use Prior to Grant Change Station Location Other

6. Requested Use Prior Date
07/14/2009

7. CityMobile – Various

8. Latitude
(dd mm ss.s h) 0 0 0.0 N

9. State	10. Longitude (dd mm ss.s h) 0 0 0.0 W
11. Please supply any need attachments. Attachment 1: Explanatory Stmt Attachment 2: Attachment 3:	
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: 10px 0;">Row 44 seeks a 60-day extension of its current STA (FCC File Nos. SES-STA-20080711-00928 & SES-STA-20090417-00507), granted March 13, 2009 and extended May 15, 2009, to operate a twelve (12) AMSS Earth stations mounted on aircraft, for which permanent blanket license authority has been sought in FCC File No.SES-LIC-20080508-00570. See attached Explanatory</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 John Guidon	15. Title of Person Signing CEO
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.

12. Description

Row 44 seeks a 60-day extension of its current STA (FCC File Nos. SES-STA-20080711-00928 & SES-STA-20090417-00507), granted March 13, 2009 and extended May 15, 2009, to operate a twelve (12) AMSS Earth stations mounted on aircraft, for which permanent blanket license authority has been sought in FCC File No. SES-LIC-20080508-00570. See attached Explanatory Statement.

EXPLANATORY STATEMENT

Row 44, Inc. (“Row 44”) hereby seeks extension for an additional 60-day period of the special temporary authority (“STA”) initially granted to it on March 13, 2009 and extended on May 15, 2009 through July 14, 2009. *See Row 44, Inc.*, 24 FCC Rcd 3042 (Sat Div. 2009) (“STA Order”); *Row 44, Inc.*, DA 09-1078, slip op. (Sat Div., released May 15, 2009) (“STA Extension Order”). The original STA Order contained a specific provision that the STA was “not one relating to an ‘activity of a continuing nature’ for purposes of 47 C.F.R. § 1.62 and 5 U.S.C. § 558(c).” STA Order at 5 (¶ 8). That condition on the STA was removed from the STA Extension Order such that the submission of this timely extension request continues Row 44’s authority during the period of its pendency before the FCC pursuant to Section 1.62 of the Commission’s Rules. 47 C.F.R. § 1.62.

The current STA was granted to allow Row 44 to conduct both in-flight testing and proof-of-concept market trials using up to twelve (12) aircraft Earth stations (“AESs”) for which a blanket aeronautical mobile satellite service (“AMSS”) license has been sought in Row 44’s pending license application (File No. SES-LIC-20080508-00570/Call Sign E080100).¹ Row 44’s trial operations have proven very successful. Substantial testing has been conducted involving both the AMC-2 (101° W.L.) and Horizons-1 (127° W.L.) satellites with no adjacent satellite interference being detected.²

Row 44 submitted its Flight Test Report pursuant to the initial STA Order on May 11, 2009, more than thirty days earlier than required. *See* “Satellite Interference Test Plan and Report: Row 44 Satellite Broadband System.” Row 44 had previously complied with the condition contained in paragraph 7(e) of the original STA Order, which required it to submit by April 13, 2009 a detailed report on ground testing conducted pursuant to previously granted STAs for operations at a fixed location. This report was submitted on April 13, 2009. *See*

¹ Row 44 plans to offer a commercial broadband Internet data service to passengers and crew aboard commercial aircraft traveling in North American airspace, consistent with the framework that the Commission has proposed in its AMSS rulemaking proceeding. *See Service Rules and Procedures to Govern the Use of Aeronautical Mobile Satellite Service Earth Stations in Frequency Bands Allocated to the Fixed Satellite Service*, 20 FCC Rcd 2906 (2005) (“AMSS NPRM”). Relevant details concerning all facilities to be used in connection with Row 44’s testing program are contained in the technical information submitted with its pending AMSS license application. *See, e.g.*, Schedule B, FCC File No. SES-LIC-20080508-00570, as amended.

² Row 44 understands that, because AMSS is a secondary allocation at Ku-band, both its STA operation and any permanent operation ultimately licensed must operate on a non-harmful-interference basis with respect to primary users in the band, and must accept any interference caused by these licensees.

Row 44, Inc.
STA Extension Request
July 2009

“Report Concerning Pointing Accuracy Ground Testing of the HR6400 Antenna System for Aeronautical Mobile-Satellite Service.”

Grant of the extended authority requested herein will serve the public interest by permitting Row 44 to maintain its technical testing program for new mobile broadband service. These operations will allow Row 44 and its partners to continue gathering useful performance, operations and market test data under a variety of conditions and on different routes. Of course, to the extent that any additional data gathered by Row 44 during these operations could be relevant to the FCC's ongoing consideration of the pending license application, such information will be submitted to the Commission promptly as a supplement to any report previously filed with the FCC concerning the STA operations.

As noted, extended operation under the current STA will permit Row 44's airline customers to continue their market research concerning passenger preferences and optimal pricing for their ultimate in-flight broadband packages without unnecessary interruption. Preliminary surveys conducted by Row 44's partners show that this service is much-desired and needed by the traveling public. *See* Attachment, Alaska Airlines Press Release, “Alaska Airlines Announces Key Findings of In-Flight Wi-Fi Service Trial,” dated April 14, 2009.

Given the successful operation to date under the initial STA, no public interest purpose would be served by suspending the testing program while the FCC considers final action on the underlying application. As Row 44 has noted previously, both the technical and market trial aspects of the current STA are little different from operation under an FCC experimental license, an authorization that may be granted without any Public Notice or formal proceedings for a period of two years, and in some cases, as long as five. Row 44 anticipates that an STA will be required for an additional period of only days or weeks. Indeed, it is hoped that the Commission will be in a position to grant the application even before the current STA expires, obviating any need to act on this extension request. In any case, Row 44 simply seeks continued authority to gather technical data and operational experience with its AMSS antenna system for the duration of the period required for the FCC to resolve any remaining issues concerning issuance of an AMSS system license.

Based on all of the information included herewith, Row 44 requests that the FCC grant it an extension of its current STA to continue its in-flight testing program for a period of sixty (60) days, beginning July 14, 2009.

ATTACHMENT

Alaska Airlines Press Release

“Alaska Airlines Announces Key Findings of In-Flight Wi-Fi Service Trial”
(April 14, 2009)

Alaska Airlines

NEWS

Contact: Bobbie Egan -or- Melissa Liton
Alaska Airlines Communicé PR
(206) 392-5134 (206) 282-4923 ext. 122

FOR IMMEDIATE RELEASE

April 14, 2009

ALASKA AIRLINES ANNOUNCES KEY FINDINGS OF INFLIGHT WI-FI SERVICE TRIAL

Passengers embrace service; Airline will begin testing price points this week

SEATTLE — Alaska Airlines today announced initial results of its Inflight Wi-Fi service trial, which was launched on Feb. 26, 2009. More than 2,100 passengers logged on and used Alaska Airlines Inflight Wi-Fi. Of those passengers who tried the service and completed a survey during or after their flight, more than 96 percent intend to use it again.

Additional key findings of the survey include:

- More than 78 percent of those who tried the Inflight Wi-Fi service are either “extremely likely” or “very likely” to recommend it.
- More than 75 percent felt the service was either “excellent” or “very good.”
- About 35 percent of passengers accessed the service with portable devices such as smart phones. Other passengers surfed the Web on devices such as notebook computers.

Some of the most popular activities customers used the service for included checking e-mail, downloading and listening to music, watching streaming media and interacting on social networks.

“Alaska Airlines Inflight Wi-Fi was fast and consistent,” said passenger C.J. Adams of Marysville, Wash. “As a frequent business traveler, I was thrilled to have Internet access while in flight and appreciated the opportunity to work in real-time — it even made my flight seem shorter. I will definitely use this service on future Alaska Airlines flights.”

-more-

Alaska Airlines will begin evaluating pricing models for the service this week and will continue to gather feedback from customers. "Our most important consideration in determining the price of Alaska Airlines Inflight Wi-Fi is providing value to our passengers," said Steve Jarvis, Alaska's vice president of marketing, sales and customer experience. "The initial feedback we're getting is overwhelmingly positive. We will continue to optimize the service and listen closely to our customers to find the right price that is both competitive with other airlines and fits comfortably within our passengers' budgets."

The airline plans to set a final price for the service later this year. Passengers will be able to purchase the service using all major credit cards via the Inflight Wi-Fi secure payment process.

About the service trial

Alaska Airlines Inflight Wi-Fi, provided by Row 44, is currently available onboard Alaska's one specially-equipped Boeing 737-700, with plans to install it on additional aircraft in the coming months.

The airline conducted extensive ground and inflight tests of the technology prior to the service trial to ensure the system does not interfere with aircraft navigation equipment. In addition, the aircraft equipment has received complete airworthiness certification from the Federal Aviation Administration. The service is being offered on a trial basis and has not yet received final Federal Communications Commission approval.

About Alaska Airlines

Alaska Airlines and Horizon Air, subsidiaries of Alaska Air Group (NYSE: ALK), together serve more than 90 cities through an expansive network in Alaska, the Lower 48, Hawaii, Canada and Mexico. Alaska Airlines ranked "Highest in Customer Satisfaction among Traditional Network Carriers (tie)" in the J.D. Power and Associates 2008 North America Airline Satisfaction StudySM. For reservations, visit alaskaair.com. For more news and information, visit the Alaska Airlines/Horizon Air Newsroom at alaskaair.com/newsroom.

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