

E070085

SES-STA-20090722-00902

IB2009001994

KVH Industries, Inc.

Approved by OMB
3060-0678

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

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

E070085 -- AMC-15 -- STA ESV

1. Applicant

Name:	KVH Industries, Inc.	Phone Number:	401-845-8148
DBA Name:		Fax Number:	401-845-8116
Street:	50 Enterprise Center	E-Mail:	ffeingold@kvh.com
City:	Middletown	State:	RI
Country:	USA	Zipcode:	02842 -
Attention:	Ms Felise Feingold		



File # SES-STA-20090722-00902

Call Sign E070085 Grant Date 7/24/09
(or other identifier)

From 7/27/09 Term Dates To: 9/21/09

Approved: Kathryn Madley
Chief, Satellite Engg Div.

2. Contact

Name:	Carlos M. Nalda	Phone Number:	202-626-6659
Company:	Squire, Sanders & Dempsey L.L.P.	Fax Number:	202-626-6780
Street:	1201 Pennsylvania Avenue, NW	E-Mail:	cnalda@ssd.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20004 -
Attention:		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 SESLIC2007050400563 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

07/27/2009

7. City

8. Latitude

(dd mm ss.s h) 0 0 0.0

9. State	10. Longitude (dd mm ss.s h) 0 0 0.0
11. Please supply any need attachments. Attachment 1: STA Narrative 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;">KVH Industries, Inc. requests an STA to operate a network of up to 300 ESVs via the AMC-15 satellite at 105 W.L.</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 Felise Feingold	15. Title of Person Signing Vice President and General Counsel
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.

July 22, 2009

Kathryn Medley
Chief, Satellite Engineering Branch
International Bureau
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Re: KVVH Industries, Inc. Request for a Further Special Temporary Authority To Operate ESV
Network Call Sign 070085 Pending Action on Amended ESV Application

Dear Ms Medley:

KVVH Industries, Inc. ("KVVH"), pursuant to Section 25.120(b)(3) of the Commission's Rules, 47 C.F.R. § 25.120(b)(3), hereby requests a new Special Temporary Authority ("STA") to operate a network of up to 300 earth stations onboard vessels ("ESV's") via the AMC-15 satellite at 105° W.L. and a gateway earth station in Carlsbad, CA (Call Sign E030131), licensed to ViaSat, Inc. A further STA is sought for a period of 60 days, commencing July 27, 2009, pending action on the previously filed amendment in license application proceeding File Nos. SES-LIC-20070504-00563 and SES-AMD-20090515-00596 to substitute KVVH as the applicant, add the AMC-15 satellite as a point of communication, and make other minor adjustments to the ESV application.¹

The Commission has already granted a number of STAs to SES Americom, Inc. ("SES America") to operate this particular ESV network (Call Sign 070085) communicating with the AMC-6 satellite at 72° W.L. and the AMC-15 satellite, pending grant of an underlying application for a regular ESV license. See File Nos. SES-STA-20070329-00421, SES-STA-20070529-00728, SES-STA-20070720-00973, SES-STA-20080110-00035, SES-STA-20080801-01010, SES-STA-20080916-01214, and SES-STA-20090219-00196. Most recently, the Commission granted two STAs to KVVH to operate the ESV network via the AMC-6 and AMC-15 satellites pending grant of the pending underlying license application. These STAs, SES-STA-20090515-00593 (AMC-6) and SES-STA-20090515-00595 (AMC-15), expire on

¹ The information in the underlying ESV application proceeding is hereby incorporated by reference.

July 27, 2009. Because KVVH has already transitioned to the AMC-15 satellite and no longer is operating the network via the AMC-6 satellite, a further STA is sought only for the AMC-15 satellite.²

KVVH's operation of the ESV network under the requested STA will be consistent with the technical parameters in the underlying ESV application, as amended. In addition, all operations will be on the same terms and conditions as previous STAs granted to SES Americom and KVVH to operate the network. Specifically, operations will be on an unprotected, non-harmful interference basis, and will be without prejudice to the Commission's consideration of the underlying ESV application, as amended.

Grant of the requested STA will serve the public interest by ensuring continuity of service to existing ESV customers on the E070085 network, including U.S. government users, which have already been transitioned from the AMC-6 satellite to the AMC-15 satellite. It will also ensure that affordable and reliable broadband communications will continue to be made available to a wide range of maritime customers, including federal, state and local government agencies, businesses and individuals. The Commission has previously found that grant of STAs to provide such services to be in the public interest, and it should reach the same conclusion with respect to KVVH's instant request for an STA to provide the same services using the same network. KVVH is fully qualified to hold an STA to operate this ESV network, as evidenced by the Commission's previous grant of the existing STAs under Call Sign E070085 and similar grants.

Please feel free to contact me with any questions you may have or if KVVH can provide any additional information to facilitate action on its instant STA request.

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.

/s/ Carlos M. Nalda

Carlos M. Nalda

Counsel to KVVH Industries, Inc.

² KVVH will update the record of the underlying application proceeding to reflect that it no longer seeks to communicate with the AMC-6 satellite.