

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
STA for transfer of control of Americom Government Services, Inc. from SES Americom, Inc.

1. Applicant

Name:	Americom Government Services, Inc.	Phone Number:	703-610-0990
DBA Name:		Fax Number:	703-610-1030
Street:	2010 Corporate Ridge, Suite 600	E-Mail:	michael.cade@americom-gs.com
City:	McLean	State:	VA
Country:	USA	Zipcode:	22102 -
Attention:	Michael F. Cade		



File # SES-STA-20090727-00918

Call Sign E000322 Grant Date 7/29/09
(or other identifier)

Term Dates
From 7/30/09 To: 9/26/09

Approved: Kathryn Medley
Chief, Satellite Eng'g Br.

2. Contact

Name:	Michael F. Cade	Phone Number:	703-610-0990
Company:		Fax Number:	703-610-1030
Street:	2010 Corporate Ridge	E-Mail:	michael.cade@americom-gs.com
	Suite 600		
City:	McLean	State:	VA
Country:	USA	Zipcode:	22102 -
Attention:	Michael F. Cade	Relationship:	

(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 CGX – Fixed Satellite Transmit/Receive Earth Station

5. Type Request

- Use Prior to Grant Change Station Location Other

6. Requested Use Prior Date

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: Exhibits 1 & 2 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;">This application seeks temporary authority for SES Americom, Inc. to transfer control of Americom Government Services, Inc. pending action on the parties' request for regular authority for the proposed transfer of control.</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 Robert T. Osterthaler	15. Title of Person Signing President and 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.

EXHIBIT 1: LIST OF AUTHORIZATIONS

<u>CALL SIGN</u>	<u>CITY, STATE</u>	<u>LATITUDE</u>	<u>LONGITUDE</u>	<u>CLASS OF STATION</u>
E010271	CHARLOTTESVILLE, VA	38° 8' 19.0" N	78° 27' 10.0" W	T/R FIXED EARTH STATION
KD26	EDWARDS AFB, CA	34° 57' 31.0" N	117° 54' 45.0" W	T/R FIXED EARTH STATION
E980347	FORT BELVOIR, VA	38° 43' 30.0" N	77° 8' 43.0" W	T/R FIXED EARTH STATION
E960490	FORT BELVOIR, VA	38° 43' 30.0" N	77° 8' 43.0" W	T/R FIXED EARTH STATION
E010257	FT. BELVOIR, VA	47° 43' 30.0" N	77° 8' 43.0" W	T/R FIXED EARTH STATION
E010093	FT. BELVOIR, VA,	38° 43' 30.0" N	77° 8' 42.0" W	T/R FIXED EARTH STATION
E020276	FORT BRAGG, NC	35° 16' 35.0" N	78° 58' 52.0" W	T/R FIXED EARTH STATION
E030118	FORT BRAGG, NC	35° 9' 37.2" N	78° 59' 21.3" W	T/R FIXED EARTH STATION
E000322	FORT HUACHUCA, AZ	42° 36' 0.0" N	110° 21' 0.0" W	T/R FIXED EARTH STATION
E010094	FORT LEWIS, WA	47° 5' 53.0" N	122° 33' 36.0" W	T/R FIXED EARTH STATION
E980162	FAIRBANKS, AK	64° 58' 26.0" N	147° 30' 48.4" W	T/R FIXED EARTH STATION
KA314	GREENBELT, MD	38° 59' 56.0" N	76° 50' 24.0" W	T/R FIXED EARTH STATION
E872122	GREENBELT, MD	38° 59' 55.0" N	76° 50' 24.0" W	T/R FIXED EARTH STATION
E990427	GREENBELT, MD	38° 59' 57.0" N	76° 50' 21.0" W	T/R FIXED EARTH STATION
WB74	GREENBELT, MD	38° 59' 56.0" N	76° 50' 24.0" W	T/R FIXED EARTH STATION
KF40	HARRIS, TX	29° 33' 38.0" N	95° 5' 10.0" W	T/R FIXED EARTH STATION
KA293	PASADENA, CA	34° 12' 11.0" N	118° 10' 19.0" W	T/R FIXED EARTH STATION
KA292	PASADENA, CA	34° 12' 11.0" N	118° 10' 19.0" W	T/R FIXED EARTH STATION
E873528	KAENA POINT, HI	21° 33' 50.0" N	158° 14' 28.0" W	T/R FIXED EARTH STATION
WP75	BREVARD, FL	28° 31' 37.0" N	80° 39' 28.0" W	T/R FIXED EARTH STATION
E930090	TAMPA, FL	27° 50' 58.0" N	82° 28' 45.0" W	T/R FIXED EARTH STATION
E850154	HUNTSVILLE, AL	34° 39' 21.0" N	86° 40' 18.0" W	T/R FIXED EARTH STATION
E080190	MCLEAN, VA	38° 54' 42.8" N	77° 12' 54.4" W	T/R FIXED EARTH STATION
E060407	CAROLINA, PR	18° 25' 52.6" N	65° 59' 37.6" W	T/R FIXED EARTH STATION
E859658	AMES, CA	37° 25' 21.0" N	122° 3' 38.0" W	T/R FIXED EARTH STATION
E910001	GOLDSTONE, CA	35° 25' 27.0" N	116° 53' 20.0" W	T/R FIXED EARTH STATION
KD42	GOLDSTONE, CA	35° 20' 27.0" N	116° 52' 24.0" W	T/R FIXED EARTH STATION
E872652	NEW BOSTON, NH	42° 56' 44.3" N	71° 37' 43.3" W	T/R FIXED EARTH STATION
KF24	BELLEVUE, NE	41° 7' 56.0" N	95° 55' 2.0" W	T/R FIXED EARTH STATION
KH80	SUNNYVALE, CA	37° 24' 11.0" N	122° 1' 42.0" W	T/R FIXED EARTH STATION
E940106	FALCON AFB, CO	38° 47' 42.0" N	104° 31' 3.0" W	T/R FIXED EARTH STATION
E940141	FALCON AFB, CO	38° 47' 42.0" N	104° 31' 4.0" W	T/R FIXED EARTH STATION
E860942	FALCON AFB, CO	38° 47' 45.0" N	104° 31' 0.0" W	T/R FIXED EARTH STATION
E950006	WAHIAWA, HI	21° 31' 12.0" N	158° 0' 30.0" W	T/R FIXED EARTH STATION
E930073	KEY WEST, FL	24° 33' 49.0" N	81° 43' 42.0" W	T/R FIXED EARTH STATION
KE27	MONTEREY, CA	36° 35' 34.0" N	121° 51' 5.0" W	T/R FIXED EARTH STATION
E050252	SUTTLAND, MD	38° 51' 5.8" N	76° 56' 12.2" W	T/R FIXED EARTH STATION
KM57	WHITE SANDS, NM	32° 30' 9.0" N	106° 36' 34.0" W	T/R FIXED EARTH STATION
WE60	WALLOPS ISLAND, VA	37° 56' 46.0" N	75° 27' 43.0" W	T/O FIXED EARTH STATION
E890254	CONUS	00° 00' 00.0" N	00° 00' 00.0" W	VSAT REMOTE TERMINAL
E890255	CONUS	00° 00' 00.0" N	00° 00' 00.0" W	VSAT REMOTE TERMINAL

EXHIBIT 2: JUSTIFICATION FOR SPECIAL TEMPORARY AUTHORITY

By this consolidated application, Americom Government Services, Inc. (“AGS”) seeks special temporary authority (“STA”) for a period of 60 days commencing no later than July 30, 2009, for the transfer of control of the AGS earth station licenses listed on Exhibit 1. STA is sought pending Commission action on the applications of AGS and SES Americom, Inc. (“SES Americom,” and with AGS, the “Parties”) for Commission consent to the transfer of control of the AGS earth stations, File Nos. SES-T/C-INTR2009-02041 and -02042 (the “Transfer Applications”).

As explained in the Transfer Applications, the transfer of control of the AGS licenses will take place pursuant to an agreement (the “Proxy Agreement”) to be executed by AGS, SES Americom, and certain affiliated entities with the U.S. Department of Defense (“DoD”), acting through the Defense Security Service (“DSS”). The Proxy Agreement will give designated individuals (the “Proxy Holders”) the right to direct the management and operation of AGS. The Proxy Agreement will not change the ownership of AGS, which is and will remain a wholly-owned subsidiary of SES Americom. The Transfer Applications provide full information regarding the Proxy Holders who will acquire control of AGS under the Proxy Agreement.

Grant of STA for this transfer of control is consistent with Section 25.120 of the Commission’s rules and will serve the public interest. As set forth in the Transfer Applications, the Proxy Agreement has been negotiated with the DoD in accordance with the National Industrial Security Program Operating Manual (“NISPOM”) to meet DoD’s national security objectives. AGS holds a Facility Security Clearance and has contracts with agencies of the U.S. Government that include contracts involving sensitive and classified information. The NISPOM specifies that entities with Facility Security Clearances must be insulated from foreign ownership, control and influence, and entities under foreign control are typically prohibited from having access to classified information. The Proxy Agreement addresses these issues by providing for control of AGS by individuals who are independent of SES Americom and its affiliates.

The measures to be put in place through the Proxy Agreement will comply with the DoD’s standards for protection of sensitive information and ensuring the independence of AGS from its foreign-owned and controlled parent company and affiliates. DoD has determined that the provisions of the Proxy Agreement conform to NISPOM and are necessary for the United States to protect itself against the unauthorized disclosure of information relating to the national security.

Under the terms of the Proxy Agreement, the steps by AGS and SES Americom required to grant the Proxy Holders control of AGS are scheduled to occur on July 30. However, negotiation of the terms of the Proxy Agreement was only recently finalized. Pending finalization, a number of issues, including the identity of the Proxy Holders, remained uncertain. As a result, the Parties were not in a position to file applications for underlying authority for the transfer of control sufficiently in advance of the July 30 date to avoid the need for an STA.

Absent grant of an STA, the Parties would be required to defer putting into effect the measures that DoD has concluded are necessary to insulate AGS from foreign control and to

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Exhibit 2

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protect sensitive data related to national security. Such a delay would clearly prejudice the strong public interest objectives underlying the DoD's decision to require a Proxy Agreement with respect to AGS. Accordingly, AGS respectfully requests that the Commission grant STA on an expedited basis to allow the Proxy Holders to acquire control of AGS as scheduled on July 30.