

E070085 SES-STA-20090916-01185
KVVH Industries, Inc. IE2009004251

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-20090916-01185
Call Sign E070085 Grant Date 10/5/09
(or other identifier)
Term Dates
From 9/21/09 To: 11/19/09
Approved: Jeanette H. Spriggs

2. Contact

Name: Carlos 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
Suite 500
City: Washington **State:** DC
Country: USA **Zipcode:** 20004 -
Attention: Mr. Carlos Nalda **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

09/21/2009

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.) KVI Industries, Inc. requests a further STA under Call Sign E070085 to operate a network of up to 300 ESVs via the AMC-15 satellite.	
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 "conviction"; 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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September 16, 2009

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

Re: K VH 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:

K VH Industries, Inc. ("K VH"), 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 ("ESVs") 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 September 21, 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 K VH as the applicant, add the AMC-15 satellite as a point of communication, and make other minor adjustments to the ESV license 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. In addition, the Commission has granted two STAs to K VH to operate the ESV network via the AMC-6 and AMC-15 satellites pending grant of the pending underlying license application. See File Nos. SES-STA-20090515-00593 (AMC-6) and SES-STA-20090515-00595 (AMC-15). On July 24, 2009, the FCC granted a further STA to K VH to operate the ESV network via the AMC-

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

15 satellite.² The current STA, File No. SES-STA-20090722-00902, is scheduled to expire on September 21, 2009.

KVH'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 KVH 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 KVH's instant request for an STA to provide the same services using the same network. KVH is fully qualified to hold an STA to operate this ESV network, as evidenced by the Commission's previous grants of STAs to KVH under Call Sign E070085 and similar grants.

Please feel free to contact me with any questions you may have or if KVH 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 KVH Industries, Inc.

² As KVH had ceased operating the network via the AMC-satellite, it did not seek a further STA to continue communicating with this satellite. Accordingly, on August 31, 2009, KVH filed a Section 1.65 (47 C.F.R. § 1.65) notification under Call Sign E070085 to remove AMC-6 as a point of communication from the underlying license application.