

**EXHIBIT A – REASON FOR SPECIAL TEMPORARY AUTHORITY**

NewCom International, Inc. (“NewCom”), pursuant to Section 25.120(b)(3) of the Commission’s Rules, 47 C.F.R. § 25.120(b)(3), hereby requests special temporary authority (“STA”) for a period of 60 days to communicate with the Intersputnik Express AM44 geostationary satellite positioned at 11.0 degrees west longitude (“AM44”). Specifically, NewCom requests STA to transmit and receive single channel per carrier (“SCPC”) services from a 7.3 meter antenna located at its flagship teleport in Miami, Florida.<sup>1</sup> This antenna is licensed under Call Sign E040267 and has been successfully coordinated with all potentially affected co-channel licensees.<sup>2</sup> Under the proposed STA NewCom will transmit earth-to-space in the 5925-6525 MHz band and receive space-to-earth in the 3650-4200 MHz band. NewCom will ensure earth-to-space transmissions authorized pursuant to the proposed STA remain at or below maximum power levels specified under NewCom’s existing authority for the 7.3a antenna, or, alternatively, below the power levels specified in the attached frequency coordination for the 6425-6525 MHz band. NewCom will similarly ensure that earth-to-space transmissions remain at or below maximum effective isotropic radiated power (“EIRP”) levels specified under NewCom’s existing authority or the attached frequency coordination. Any SCPC service established pursuant to the proposed authority will use a digital modulation scheme.

From January 2005 through May 2009 NewCom provided lifeline communications to underserved areas of Latin America and Africa using the Intersputnik Express 3A (“3A”).<sup>3</sup> The lifeline communications that NewCom provided using the 3A supported telemedicine applications for hospitals and educational applications for schools. For customers in remote, inland areas, NewCom’s service was the end user community’s sole means of communicating with the outside world.

In May 2009 the 3A was abruptly decommissioned. NewCom received notice on May 18, 2009, that its services would be transitioned to the AM44 within 24 hours. In early July, NewCom became aware that even though the AM44 was a replacement satellite for the 3A, the Commission would require NewCom to receive a separate authorization to use the AM44. NewCom’s counsel promptly met with FCC staff on July 9, 2009, to discuss preparing and filing an STA request and application for permanent authority to use the AM44. During the next several months, NewCom worked diligently to obtain all of the necessary information from Intersputnik and the RSCC to prepare and file this STA request and the underlying application. NewCom had multiple conversations with FCC staff during this time regarding all of the

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<sup>1</sup> There are multiple 7.3 meter antennas authorized under Call Sign E040267. For the purposes of this STA, Antenna ID 7.3a (“7.3a”) will be the transmitting and receiving earth station.

<sup>2</sup> The 7.3a has previously been coordinated and approved to operate in the conventional C-band. Please see FCC File No. SES-AFS-20081230-01720. Please see Exhibit B concerning frequency coordination for the extended C-band frequencies.

<sup>3</sup> See FCC File Nos. SES-STA-20050112-00038, SES-STA-20050209-00164, SES-STA-20050812-01098, SES-STA-20060222-00288, SES-STA-20060324-00506, SES-STA-20061006-01821, SES-STA-20061206-02102, SES-STA-20070516-00665, SES-STA-20071121-01609, SES-STA-20080605-00709 and SES-STA-20081110-01466.

information the FCC would require in this STA request and application. Now that NewCom has gathered the required information, it is promptly filing this STA request.<sup>4</sup>

NewCom needs an STA to communicate with the AM44 because no alternative transmission medium capable of supporting NewCom's legacy customers in Latin America and Africa exists. When NewCom learned that the 3A was being retired, it sought alternative replacement capacity. Unfortunately, NewCom learned that Atlantic Ocean Region ("AOR") satellites with C-band coverage are currently at or near 100% capacity.<sup>5</sup> The nominal amount of space segment available on these satellites is sold only at a significant premium that NewCom's lifeline customers cannot afford.<sup>6</sup> Without access to the AM44, most of the above customers will literally lose their medium for communication with the outside world. Moreover, even if there was an alternative satellite available that offered reasonably priced space segment in significant quantities, which there is not, the cost and logistical complexity of transitioning to a new satellite would force many of NewCom's customers to discontinue or dramatically scale back their communications with the outside world. NewCom's customers generally only have access to older antennas equipped with circular feeds that were intended to communicate with the legacy intergovernmental agency Intelsat fleet. While the AM44 is circular polarized, most new commercial satellites with transponder payloads operating in the conventional bands are linear polarized. NewCom's customers do not have the resources or engineering expertise necessary to deploy entirely new earth station facilities capable of communicating with these satellites. As a result, NewCom seeks STA to communicate with the AM44 for a period not to exceed 60 days.

NewCom expects to concurrently file an application to add the AM44 as a permanent point of communication to Call Sign E040267. NewCom has obtained all relevant information from the Russian Satellite Communications Company ("RSCC"), the operator of the AM44, to demonstrate the satellite has been properly coordinated pursuant to International Telecommunication Union ("ITU") regulations as a replacement spacecraft for the now retired 3A, and that its operations from 11.0 degrees west longitude comply with 2-degree spacing obligations.

Grant of this STA request serves the public interest by enabling NewCom to continue serving end users in remote, underserved areas with lifeline connectivity, including telemedicine applications for local hospitals and educational applications for schools. Pursuant to Section 25.120(b)(3) of the rules, NewCom requests a 60-day STA without the need for prior public notice. Grant is requested on or before November 10, 2009.

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<sup>4</sup> Pursuant to 47 C.F.R. § 25.120(a), requests for STA must include the "full particulars of the proposed operation."

<sup>5</sup> See, e.g., *Satellite Capacity Shortages Confirmed In Middle East and North Africa*, SpaceMart, Nov. 3, 2008 (discussing the near 100% utilization rate for the majority of FSS transponders covering the Middle East and North Africa).

<sup>6</sup> See, e.g., Peter B. de Selding, *African Bandwidth Drought Showing Signs of Reversal*, Space News, Sep. 25, 2009 (noting that satellite C-band capacity over Africa has "completely run out" and how remaining slivers of bandwidth are being sold at "once inconceivable prices").