

STA REQUEST

By this application and pursuant to Section 25.120(b)(3) of the Commission's Rules, 47 C.F.R. § 25.120(b)(3), Spacenet Services License Sub, Inc. ("Spacenet") seeks special temporary authority ("STA") for sixty days to add the Galaxy 18 spacecraft at 123° W.L. as a point of communication in the standard Ku-band under Spacenet's call sign E000035 for 0.75 meter earth station antennas manufactured by ASC Signal Corporation. Spacenet respectfully requests grant of the STA by no later than February 1, 2010, to accommodate the need to move customers to Galaxy 18 from the Galaxy 27 spacecraft, because Spacenet's lease of capacity on Galaxy 27 is being terminated. Spacenet is in the process of coordinating operations on Galaxy 18 with adjacent spacecraft operators pursuant to Section 25.220 and is preparing the underlying application for modification of the E000035 license to add Galaxy 18. Grant of the STA pending submission of and action on the modification application will serve the public interest by ensuring continuity of service to Spacenet's customers, including customers located in remote and underserved areas who rely on Spacenet's service for critical connectivity requirements.

Spacenet currently provides data communications networking services throughout the fifty United States, Puerto Rico and the U.S. Virgin Islands to businesses, consumers and the government through the use of VSAT earth stations and networking equipment. Spacenet is currently authorized under its call sign E000035 to operate sub-meter antennas in the standard Ku-band (11.7-12.2 GHz downlinks and 14.0-14.5 GHz uplinks) using a number of specific in-orbit spacecraft, including Galaxy 27 (formerly known as Telstar 7 and Intelsat Americas-7) at 129° W.L. and EchoStar 9 at

121° W.L.¹ Spacenet currently uses Galaxy 27 to serve consumer, government and enterprise customers. Consumers use the service for general Internet access, which often includes voice communications via third party products such as Skype or Vonage. Government and enterprise customers use the service to support their daily operations. Spacenet customers served by Galaxy 27 are located throughout the contiguous U.S., Alaska, and Hawaii, including areas where there are limited available alternatives to Spacenet's communications services.

In early December 2009, Intelsat gave Spacenet notice that pursuant to the terms of the agreement between the two parties, Intelsat was terminating Spacenet's lease for capacity on Galaxy 27. As a result, Spacenet is required to move all its services off of Galaxy 27. Intelsat has requested that the Spacenet operations on Galaxy 27 be terminated by March 1, 2010.²

Upon receiving the termination notice, Spacenet immediately began the process of identifying and contracting for replacement capacity to allow Spacenet to continue to serve its customers currently using Galaxy 27, including those located in Alaska and Hawaii. Spacenet determined that it could not obtain the needed coverage of those states by using one of the other satellites with which it is authorized to operate sub-meter antennas under call sign E000035. Intelsat's Galaxy 18 spacecraft at

¹ See Radio Station Authorization, Spacenet Services License Sub, Inc., Call Sign E000035, File No. SES-MOD-20081006-01298, granted Nov. 25, 2008 ("E000035 License) at Section D, Points of Communication.

² Intelsat has requested special temporary authority beginning on March 1 to relocate Galaxy 27 to 45.1° E.L. in order to meet customer demand for capacity over the Middle East. See Intelsat North America LLC, Call Sign S2159, File No. SAT-STA-20100105-00004, Narrative at 1-2.

123° W.L. does offer that coverage, and Spacenet and Intelsat executed a lease for capacity on Galaxy 18 dated December 29, 2009.

The 0.75 meter antenna manufactured by ASC Signal Corporation and used by Spacenet's customers under call sign E000035 does not comply with the performance standards specified in Section 25.209 of the Commission's rules. Accordingly, pursuant to Section 25.220, operations using the antenna must be coordinated with operators of the satellites within six degrees of the spacecraft to be used for the service. Spacenet has commenced the process of coordinating its planned operations on Galaxy 18 and seeking the required affidavits of the adjacent operators that will be needed in order to seek permanent authority adding Galaxy 18 as a point of communication for the 0.75 meter antennas under the E000035 license. Spacenet seeks special temporary authority to allow communications with Galaxy 18 pending completion of the coordination process and modification of the E000035 License.

Grant of the requested authority will serve the public interest by ensuring that services to Spacenet's customers are not interrupted. As discussed above, Spacenet provides satellite-based Internet connectivity to customers, some of whom are located in remote and underserved areas where there are limited available communications alternatives. The Spacenet service gives these users the ability to access a full range of information, including information about weather conditions or emergency situations that may be important to their safety. Absent grant of special temporary authority, Spacenet will not be able to provide continuity of service to these customers.

Grant of Spacenet's request for special temporary authority will not adversely affect other operators. Although Spacenet has not been able to complete coordination with satellite networks within six degrees of Galaxy 18 given the accelerated schedule for moving off of Galaxy 27, Spacenet is confident that coordination will be successful. Spacenet has already successfully coordinated the operations of the 0.75 meter ASC Signal Corporation antenna using capacity on both EchoStar 9 at 121° W.L. and Galaxy 27 at 129° W.L. As a result, all the spacecraft operators within six degrees of Galaxy 18 at 123° W.L. have previously evaluated the antenna's operational characteristics and consented to its use.

Spacenet has filed full technical information regarding the 0.75 meter ASC Signal Corporation antenna, including off-axis antenna gain patterns, in previous applications under call sign E000035, and incorporates that information by reference herein. In particular, Spacenet directs the Commission's attention to File No. SES-MOD-20081006-01298, in which Spacenet sought and obtained authority for operation of this antenna using EchoStar 9 at 121° W.L. EchoStar 9 is just two degrees away from Galaxy 18, and the technical parameters of operations using Galaxy 18 will otherwise be the same as those submitted in the 2008 modification proceeding.

For the foregoing reasons, Spacenet respectfully requests special temporary authority for sixty days to use the 0.75 meter ASC Signal Corporation antenna to communicate with Galaxy 18 at 123° W.L.