

Request for Special Temporary Authority

By this application, ViaSat, Inc. (“ViaSat”) requests special temporary authority (“STA”) to operate five (5) transmit/receive earth station terminals mounted on aircraft to provide in-flight broadband communications using the 28.35-29.1 GHz and 29.5-30.0 GHz bands for uplink communications and the 18.3-19.3 GHz and 19.7-20.2 GHz bands for downlink communications. The terminals will communicate with ViaSat-1 at 115.1° W.L., WildBlue-1 at 111.1° W.L. and ANIK-F2 at 111.1° W.L., each of which has been authorized by the Commission to serve the United States in these frequency ranges. ViaSat has a pending application for full licensing authority to operate this terminal type. *See* SES-LIC-20120427-00404, Call Sign E120075 (“Application”). The Application contains all of the technical parameters that are relevant for the STA operations. ViaSat requests STA commencing on October 1, 2012 for a period of 60 days.

As indicated in ViaSat’s supplemental submission filed on July 20, 2012 in connection with the Application, ViaSat’s customer, JetBlue Airways (“JetBlue”), has scheduled its commercial trials of satellite broadband using these earth stations, commencing on October 1, 2012. ViaSat thus requests STA while the Application is pending in order to permit market access trials and testing and tuning of the system in a commercial operations context. Granting this STA would serve the public interest by facilitating the assessment of the terminal while in flight and under typical user conditions, with “real world” passengers. The Commission previously has granted STA under similar circumstances.¹ As detailed in the Application, facilitating the availability of broadband access on board aircraft by granting the Application will help satisfy the rapidly growing demand and consumer expectations for ubiquitous Internet connectivity.

The antenna has been tested on a range from a fixed location under an experimental license (Call Sign WF2XOQ). Testing on a moving terrestrial platform (*e.g.*, van or pickup truck) on the test range is expected to occur soon under the same experimental license. Testing the antenna on an aircraft requires Supplemental type certification (“STC”) of the antenna by the Federal Aviation Administration, and STC is expected shortly. While the antenna may be tested on an aircraft in very limited areas under the experimental license after STC is obtained, an STA is necessary to commence the types of commercial operations that are required to test the service performance under realistic conditions.

The STA operations would not cause harmful interference into primary operations in the proposed frequencies. ViaSat has completed coordination with (i) all operating Ka band GSO satellite networks within six degrees of ViaSat-1, WildBlue-1 and ANIK-F2, (ii) all potentially affected Ka band GSO satellite networks outside of the six-degree range, and (iii) O3b Limited, the one potentially affected Ka band NGSO network. Since filing the Application, ViaSat has completed coordination with SES for AMC-15 and AMC-16, and has also coordinated operations with EchoStar/Hughes in connection with the recently launched EchoStar XVII at 107.1° W.L. Further, the proposed STA operations will not harm terrestrial microwave

¹ *See, e.g., Row 44, Inc., Application for Special Temporary Authority for Mobility Testing of Aircraft Earth Stations*, File No. SES-STA-20080711-00928, Order and Authorization, DA 09-585 (rel. Mar. 13, 2009).

users in the 18.3-18.58 GHz band that have co-primary status until November 18, 2012. The power flux-density at the earth's surface produced by emissions from each of the satellite points of communication are within the -118 dBW/m²/MHz limit set forth in Section 25.138(a)(6). ViaSat also would accept any harmful interference into its STA operations caused by primary uses, subject to any relevant sunset date.

For these reasons, ViaSat submits that grant of STA is in the public interest in this case. ViaSat will make available a 24/7 point of contact who can be reached in the unlikely event that any issues arise in connection with the operations under the requested STA. Personnel will be on duty at all times during the STA period and can be contacted at (720) 493-7300.