

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
STA to Operate METS Beyond Sept. 30, 2013

1. Applicant

Name: XRS Corporation Phone Number: 952-707-5600
DBA Name: Fax Number: 952-894-2463
Street: 965 Prairie Center Drive E-Mail: Brendan.Reidy@xrscorp.com
City: Eden Prairie State: MN
Country: USA Zipcode: 55344
Attention: Mr Brendan Reidy

60 days with conditions

File # SES-STA-20130918-00812

Call Sign E90081 Grant Date 09/20/2013
(or other identifier)

Term Dates
From 09/30/2013 To: 11/29/2013

Approved: *[Signature]*




GRANTED
International Bureau

Applicant: XRS Corporation
Call Sign: E900081
File No.: SES-STA-20130918-00812

XRS Corporation (XRS) is granted, under the following conditions, special temporary authority, for 60 days to continue to operate its currently licensed half-duplex mobile earth terminals in the upper L-band frequencies (1646.5-1660.5 MHz (Earth-to-space) and 1545.0-1559.0 MHz (space-to-Earth)) via the Canadian licensed satellite MSAT-1, MSAT-2, and SKYTerra-1. The current license authorized upper L-band frequencies operations to the half-duplex mobile terminals until September 30, 2013. XRS has on file a pending modification application SES-MOD-20130718-00644 to extend upper L-band operation until September 30, 2015.

1. All operations shall be on an unprotected and non-harmful interference basis, XRS shall not cause harmful interference to, and shall not claim protection from, interference caused to it by any other lawfully operating stations and it shall cease transmission(s) immediately upon notice of such interference.
2. In the event that any harmful interference is caused as a result of operations, XRS shall cease operations immediately upon notification of such an event, and shall inform the Commission immediately, in writing, of the event.
3. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at XRS's own risk.
4. Grant of this authorization is without prejudice to any determination that the Commission may make regarding XRS's pending application IBFS File No. SES-MOD-20130718-00644.
5. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.

60 days "with conditions"

 GRANTED International Bureau	File # <u>SES-STA-20130918-00812</u>
	Call Sign <u>E900081</u> Grant Date <u>09/20/2013</u> (or other identifier)
	From <u>09/30/2013</u> Term Dates To: <u>11/29/2013</u>
	Approved: <u>Paul E. Heller</u>

2. Contact			
Name:	Tom W. Davidson	Phone Number:	202-887-4011
Company:	Akin Gump Strauss Hauer & Feld LLP	Fax Number:	202-955-7719
Street:	1333 New Hampshire Ave., NW	E-Mail:	tdavidson@akingump.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -
Attention:		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 SESMOD2013071800644 or Submission ID			
4a. Is a fee submitted with this application?			
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).			
<input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee			
<input type="radio"/> Other (please explain):			
4b. Fee Classification CGB – Mobile Satellite Earth Stations			
5. Type Request			
<input checked="" type="radio"/> Use Prior to Grant <input type="radio"/> Change Station Location <input type="radio"/> Other			
6. Requested Use Prior Date			
09/30/2013			

7. City		8. Latitude (dd mm ss.s h) 0 0 0.0	
9. State VA		10. Longitude (dd mm ss.s h) 0 0 0.0	
11. Please supply any need attachments. Attachment 1: Attachment 1		Attachment 2: Attachment 3:	
<p>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.)</p> <div style="border: 1px solid black; padding: 5px;"> <p>In accordance with the details of the attached exhibit, XRS Corporation respectfully requests special temporary authority for sixty days, beginning September 30, 2013, to continue operation of its currently authorized METs in the upper L&#8722;band. See Attachment 1.</p> </div>			
<p>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 &quot;party to the application&quot;; for these purposes.</p> <p style="text-align: right;">Yes <input checked="" type="radio"/> No <input type="radio"/></p>			
14. Name of Person Signing Brendan Reidy	15. Title of Person Signing President and Chief Operating Officer		
<p>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).</p>			

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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.

Attachment 1
Request for Special Temporary Authority

XRS Corporation (“XRS”) is the licensee of satellite earth station E900081, pursuant to which XRS is authorized to operate up to 19,000 half-duplex mobile earth terminals (“METs”) in the upper L-band via the MSAT-1 (Canadian licensed), MSAT-2 and SKYTERRA-1 satellites until September 30, 2013.¹ In the instant application, XRS respectfully requests special temporary authority to continue to operate its authorized METs for an additional sixty days, from September 30, 2013 through November 29, 2013.

In early 2009, LightSquared Subsidiary, LLC (“LightSquared”) (formerly, a subsidiary of SkyTerra Communications, Inc.) proposed to require XRS to migrate its operations from the lower L-band to the upper L-band in anticipation of the launch of LightSquared’s second generation satellite, SKYTERRA-1 (which launch was, at the time, scheduled for late 2009). XRS initially was required (pursuant to a timetable established by LightSquared) to begin transitioning its customers to the upper L-band as early as November 1, 2009. Consequently, in August 2009, the FCC authorized XRS to operate in the upper L-band for a two-year term beginning on October 1, 2009 and terminating on September 30, 2011.² Thereafter, due to a delay in the launch and testing of LightSquared’s SKYTERRA-1 satellite,³ XRS requested and

¹ See SES-MOD-20110722-00850 (authorizing operation of 19,000 half-duplex METs in the upper L-band). XRS (through its predecessors) historically was authorized to operate 50,100 half-duplex METs in the lower L-band via the MSAT-1 (Canadian licensed) and MSAT-2 satellites. XRS no longer operates in the lower L-band, and has migrated all of its METs to the upper L-band for operations pursuant to its FCC authorization.

² See File No. SES-MFS-20090313-00302 (extending XRS’s authority to operate up to 30,000 METs in the upper L-band).

³ At the time, XRS sought to extend its upper L-band authority for twenty-four months only, from September 30, 2011 through September 30, 2013. This request was consistent with the NTIA’s recommendation that waivers of Footnote 308 (as defined herein) be limited to two years. See Letter to Julius Knapp, Chief, Office of Engineering and Technology, FCC from Karl Nebbia, Associate Administrator, Office of Spectrum, NTIA (May 13, 2009) (“NTIA Letter”). However, because Lightsquared had authorized it to operate in the upper L-band throughout the entire emulation period scheduled by LightSquared for SKYTERRA-1 (which was then scheduled to

obtained authority from the FCC to extend its upper L-band authorization to enable it to operate 19,000 METs for an additional two-year period, until September 30, 2013.⁴

Since the time the FCC last evaluated XRS's operations, XRS has continued to reduce its reliance on upper L-band spectrum for the limited number of METs currently in operation. Nevertheless, XRS anticipates that it will be unable to cease operation of all of its METs before September 30, 2013, the date on which XRS's upper L-band authorization presently is scheduled to expire. Accordingly, on July 18, 2013, XRS filed an application requesting that the FCC modify its upper L-band authorization to extend the term for an additional two years, through September 30, 2015 ("Extension Application").⁵ The Extension Application was accepted for filing and placed on Public Notice on July 31, 2013.⁶ To XRS's knowledge, no petitions to deny, petitions to defer, or objections were filed against the Extension Application. However, to date, the International Bureau has not acted on the Extension Application. Accordingly, XRS respectfully requests special temporary authority to operate its presently authorized METs for an additional sixty days, beginning on September 30, 2013. Grant of the instant application is in the public interest because it will enable XRS to continue to provide service to its customers while the Extension Application remains pending.

end on December 31, 2014), XRS noted in its application to the FCC that it was possible that an additional extension of the term of the upper L-band authorization beyond September 30, 2013 may be necessary in order to enable XRS to access SKYTERRA-1 throughout the emulation period. *See* Attachment B to FCC File No. SES-MOD-20110722-00850.

⁴ *See supra* at note 1.

⁵ *See* File No. SES-MOD-20130718-00644. LightSquared has agreed to permit its current customers, including GeoLogic, to continue to operate in the upper L-band using their current devices throughout the emulation period, which is currently scheduled to run through the end of 2015. *See* Press Release, LightSquared Announces Extension of Emulation on its Skyterra-1 Satellite Network for Existing Customers (March 6, 2012) (available at <http://www.lightsquared.com/press-room/press-releases/lightsquared-announces-extension-of-emulation-on-its-skyterra-1-satellite-network-for-existing-customers/>).

⁶ *See* Public Notice, Report No. SES-01572 (rel. July 31, 2013).