

EXPLANATORY STATEMENT

Row 44, Inc. hereby requests Special Temporary Authority (“STA”) for a period of sixty (60) days, pursuant to Section 25.120(b) of the FCC’s Rules, to operate its licensed Ku-band network of Earth Stations Aboard Aircraft (“ESAA”), under Call Sign E080100, with an additional satellite point of communication, Satmex 5 at 114.9° W.L. Row 44 has filed an application seeking permanent authority to operate with this satellite (as well as three other additional satellites) as a new point of communication, and seeks an STA to permit initiation of service while this underlying application remains pending. *See* File No SES-MOD-20121023-00963, as amended by File Nos SES-AFS-20130920-00833 and SES-AFS-20140203-00029 (“Modification Application”). Row 44’s STA operation would change its current authority only through the addition of Satmex 5 as a point of communication, and its operations would otherwise remain consistent with all terms and conditions of its current license. Proposed operations on Satmex 5 would be limited to conventional Ku-band capacity frequencies at 11.7 to 12.2 GHz (downlink) and 14.0 to 14.5 GHz (uplink).

All technical and other required information concerning Row 44’s planned use of Satmex 5 is contained in the underlying application, including a coordination certification letter signed by Satmex with respect to the Satmex 5 satellite. *See* Modification Application, File No. SES-AFS-20140203-00029, Exhibit B. Row 44’s planned operations will also be fully consistent with its existing agreements with the National Science Foundation and the National Aeronautics and Space Administration, consistent with the terms of Row 44’s current license.

Under Section 25.120(b)(1) of the FCC’s Rules, the International Bureau may grant an STA when the public interest supports the relief requested, and/or delay in the institution of temporary operations would be contrary to the public interest. *See* 47 C.F.R. § 25.120(b)(1). Such authority may be granted for a period not to exceed 60 days if the STA Request itself has not appeared on public notice but the applicant has filed (or even plans to file) a request for permanent authority for the parameters and facilities requested. *See* 47 C.F.R. § 25.120(b)(3).

Grant of the authority requested in this instance will affirmatively serve the public interest by permitting Row 44 to continue to expand its ESAA network for the benefit of both air travelers and airline crew members. Addition of Satmex 5 to Row 44’s existing authority will provide new and more effective coverage of its primary U.S. service area (CONUS), as well as portions of Mexico. Access to this new capacity is particularly necessary at this time because the space segment currently available to Row 44 on the Horizons 1 satellite, which was part of Row 44’s initial authorization, has proven insufficient to meet increasing user demands. Specifically, Satmex 5 will support traffic from a U.S. carrier airline operating primarily within the western

U.S., with routes extending into Mexico. This will provide both enhanced performance and make new areas of operation available to U.S. airline passengers.

The conventional Ku-band capacity that Row 44 seeks to use on Satmex 5 will be available in the very near term. Accordingly, Row 44 respectfully requests that the FCC grant it authority commencing on or before March 10, 2014 to use the Satmex 5 satellite as a point of communication in the conventional Ku-band under its FCC ESAA network license.