

## **EXPLANATORY STATEMENT**

Row 44, Inc. hereby requests extension of Special Temporary Authority (“STA”) for an additional period of sixty (60) days to permit it to operate its licensed Ku-band network of Earth Stations Aboard Aircraft (“ESAA”) (Call Sign E080100) using the AMC-3 satellite at 67° W.L. as a point of communication. On May 1, 2015, Row 44 was granted authority pursuant to Section 25.120(b) of the FCC’s Rules for an initial 60-day period to operate using AMC-3 while its underlying modification application (File No. SES-MFS-20150424-00270) for this authority remains pending. *See* File No. SES-STA-20150424-00275. The current STA limits service on AMC-3 to a maximum of fifty (50) earth stations during the period ending June 30, 2015. Row 44’s STA operations otherwise remain consistent with all terms and conditions of its current license, and are limited to conventional Ku-band capacity frequencies at 11.7 to 12.2 GHz (downlink) and 14.0 to 14.5 GHz (uplink), as proposed in the pending Modification Application.

Row 44 has been operating successfully using the AMC-3 capacity for nearly two months with no reported adverse effect on other authorized operations. This additional capacity has been particularly important for the company’s operations because of increasing passenger demand for in-flight entertainment and Internet access at a time when other capacity options are limited. Grant of an additional 60-day STA period is therefore critical to maintain service availability, and will affirmatively serve the public interest by helping to meet airline passenger demand for connectivity.

In light of current service demands, Row 44 also requests that the 50 unit limit on antennas communicating via AMC-3 be increased to 100 units, allowing it greater operational flexibility in the provision of its service. Although it is unlikely that this higher number of units would need to access AMC-3 during normal operations, Row 44 seeks the added flexibility in order to avoid capacity constraints during peak system use. The requested increase in the number of terminals permitted to use AMC-3 will not increase the potential for interference because antennas in use are individually assigned frequencies, and only one terminal will transmit at any given time and frequency regardless of the total number of terminals authorized. Such a modest expansion of an STA is consistent with Commission precedent for the ESAA application of FSS. *See, e.g.*, Row 44, Inc., File No. SES-STA-20150520-00300 (grant stamp, May 28, 2015) (extending STA for a 60-day period and increasing the number of authorized ESAA antennas from 50 to 100); Panasonic Avionics Corporation, File No. SES-STA-20130516-00395 (grant stamp, July 24, 2013) (extending STA for a 60-day period and increasing the number of authorized ESAA antennas from 20 to 100).

Row 44 acknowledges that favorable FCC action on this STA request would be without prejudice to the ultimate determination the FCC will make regarding the pending modification application. In addition, Row 44 acknowledges that any action taken pursuant to a grant of the requested STA will continue to be at its own risk.