

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

Gogo LLC (“Gogo”), which holds a license to operate an earth station aboard aircraft (“ESAA”) network,¹ hereby requests special temporary authority (“STA”) for a period of 60 days commencing on or before November 6, 2015, to permit up to 200 ESAA terminals to communicate with two Mexican-licensed spacecraft: Eutelsat 115 West B (formerly Satmex 7) and Eutelsat 117 West A (formerly Satmex 8), both of which are on the Commission’s Permitted Space Station List. Grant of the requested STA will serve the public interest by allowing Gogo to provide service continuity to flights over North and South America in light of the scheduled relocation of Eutelsat 115 West A (formerly Satmex 5), which Gogo currently uses for coverage of those areas. Gogo seeks STA pending Commission action on Gogo’s application to modify its ESAA license, which includes a request to add Eutelsat 115 West B and Eutelsat 117 West A as authorized points of communications.²

Background: Gogo is currently authorized to operate two types of Ku-band terminals with specified satellites for ESAA service in U.S. airspace, foreign airspace, and the airspace over international waters. Gogo’s license was issued based on its demonstration that its proposed network would enhance competition in the provision of in-flight broadband service to air travelers and airline crew members. Gogo also showed that its planned operations were fully consistent with technical standards designed to ensure protection of other authorized communications networks. In order to enhance and expand its ESAA operations, Gogo is seeking to modify the Gogo ESAA License to add ten new satellites as points of communication for the Gogo network and to update certain technical parameters.

STA Request: Pending action on the Gogo Modification Application, Gogo seeks STA to commence communications with Eutelsat 115 West B and Eutelsat 117 West A. The Gogo Modification Application contains complete technical information regarding Gogo’s proposed operations with these spacecraft, and Gogo incorporates that information by reference herein. As described in the modification, Gogo seeks to communicate with these satellites in conventional Ku-band spectrum, 14-14.5 GHz uplink and 11.7-12.2 GHz downlink.³ Gogo proposes to use

¹ See *Gogo LLC*, Call Sign E120106, File No. SES-MFS-20140801-00625, granted Dec. 22, 2014 (the “Gogo ESAA License”).

² See *Gogo LLC*, Call Sign E120106, File No. SES-MFS-20151022-00735 (the “Gogo Modification Application”).

Gogo subsequently filed an amendment to specify additional downlink frequency bands for other satellites included in the Gogo Modification Application, but the amendment does not affect Gogo’s proposed use of Satmex 5. See *Gogo LLC*, Call Sign E120106, File No. SES-AMD-20131226-01208.

³ See Gogo Modification Application, Annex 2.

Eutelsat 115 West B and Eutelsat 117 West A for coverage of North and South America, including within U.S. airspace.⁴ Gogo currently uses capacity on the Eutelsat 115 West A satellite to serve these areas, but that spacecraft is being replaced and will be relocated in November.

Gogo emphasizes that the scope of this STA request is narrower than that of the pending Gogo Modification Application. Here, Gogo is only seeking authority to add Eutelsat 115 West B and Eutelsat 117 West A as authorized points of communication for a limited number of ESAA terminals. Gogo is otherwise prepared to operate consistently with the terms and conditions set forth in the existing Gogo ESAA License. In addition, Gogo is willing to operate pursuant to the STA on an unprotected, non-harmful interference basis.

Grant of the requested STA is consistent with Commission policy and will not adversely affect other authorized operations. Eutelsat 115 West B and Eutelsat 117 West A are on the Commission's Permitted Space Station List for operations in the conventional Ku-band.⁵ Gogo has submitted letters confirming that its proposed ESAA operations have been coordinated with operators of the satellites within six degrees on either side of Eutelsat 115 West B and Eutelsat 117 West A.⁶ Gogo's operations with Eutelsat 115 West B and Eutelsat 117 West A will also conform to the terms of its agreements with the National Science Foundation and the National Aeronautics and Space Administration, as required by the Gogo ESAA License.⁷ In addition, Gogo will comply with power flux density limits to protect terrestrial services outside the U.S.

The proposed STA will allow Gogo to avoid an interruption of service when the Eutelsat 115 West A satellite is replaced at that orbital location and thereafter relocated. Grant of the requested STA will allow Gogo to use Eutelsat 115 West B and Eutelsat 117 West A to provide continuous operation on these important North and South American routes.

Gogo understands that any Commission grant of this STA will be without prejudice to the ultimate determination the Commission will make regarding the Gogo Modification Application. In addition, Gogo acknowledges that any action taken pursuant to a grant of the requested STA will be at Gogo's own risk.

⁴ *Id.*

⁵ See *Satélites Mexicanos, S.A. de C.V.*, Call Sign S2938, File No. SAT-PPL-20150227-00008, grant-stamped June 11, 2015 (market access grant for Eutelsat 115 West B); *Satélites Mexicanos, S.A. de C.V.*, Call Sign S2871, File No. SAT-PPL-20120823-00140, grant-stamped Dec. 6, 2012 (market access grant for Eutelsat 117 West A).

⁶ Gogo Modification Application, Annex 4.

⁷ *Id.*, Narrative at 9. See also Gogo ESAA License at 7, condition 90057.