

## REQUEST FOR SPECIAL TEMPORARY AUTHORITY

Gogo LLC (“Gogo”), which holds a license to operate an earth station aboard aircraft (“ESAA”) network,<sup>1</sup> hereby requests special temporary authority (“STA”) for a period of 60 days commencing on or before March 28, 2016, to permit up to 200 ESAA terminals<sup>2</sup> to communicate with two satellites outside U.S. airspace: Intelsat 18, a Commission-licensed spacecraft located at 180° W.L., and Yamal 401, a Russian-licensed spacecraft located at 90° E.L. Grant of the requested STA will serve the public interest by allowing Gogo to respond to customer demand for capacity on flights in the South Pacific region and through Russian airspace. Gogo seeks STA pending Commission action on Gogo’s application to modify its ESAA license, which includes a request to add Intelsat 18 and Yamal 401 as authorized points of communications.<sup>3</sup>

*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 Intelsat 18 and Yamal 401. The Gogo Modification Application as supplemented by the Gogo Letter 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 both satellites in the 14-14.5 GHz uplink spectrum; the requested downlink spectrum for Intelsat 18 is 12.25-12.75 GHz, and the requested downlink spectrum for Yamal 401 is 10.95-

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

<sup>2</sup> Gogo is licensed for two ESAA terminals, the 0.24 meter AeroSat model HR6400 and the 0.74 meter ThinKom model 2Ku, and requests authority for both models, up to a combined total of 200 terminals.

<sup>3</sup> See *Gogo LLC*, Call Sign E120106, File No. SES-MFS-20151022-00735 (the “Gogo Modification Application”). Gogo provided additional information regarding Yamal 401, including updated orbital debris mitigation data, in a letter filed last month. See Letter of Karis Hastings, Counsel to Gogo LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, File No. SES-MFS-20151022-00735 (Feb. 4, 2016) (the “Gogo Letter”).

11.2 GHz, 11.45-11.7 GHz, and 12.5-12.75 GHz.<sup>4</sup> Gogo requested a waiver of the Table of Allocations to permit use of downlink spectrum in the 12.25-12.75 GHz range for ESAA operations, and incorporates that request by reference herein.<sup>5</sup>

Gogo proposes to use Intelsat 18 for coverage of the South Pacific and Yamal 401 for coverage of Russia.<sup>6</sup> Neither satellite will be used in U.S. airspace.<sup>7</sup>

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 Intelsat 18 and Yamal 401 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. 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 Intelsat 18 and Yamal 401.<sup>8</sup> Gogo's operations with Intelsat 18 and Yamal 401 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.<sup>9</sup> In addition, Gogo will comply with power flux density limits to protect terrestrial services outside the U.S.

Grant of the proposed STA will allow Gogo to respond to customer demand for capacity on important air transport routes, promoting competition in the provision of aeronautical services and expanding the availability of in-flight broadband to air travelers and crew members.

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.

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<sup>4</sup> See Gogo Modification Application, Narrative at 4 & 8-9.

<sup>5</sup> See *id.*, Narrative at 10-12.

<sup>6</sup> See Gogo Letter, Annex 2.

<sup>7</sup> *Id.*

<sup>8</sup> Gogo Modification Application, Annex 4.

<sup>9</sup> *Id.*, Narrative at 9. See also Gogo ESAA License at 7, condition 90057.