

EXPLANATORY STATEMENT

Row 44, Inc., pursuant to Section 25.120(b) of the FCC's Rules, hereby requests Special Temporary Authority ("STA") for a period of thirty (30) days to operate its licensed Ku-band network of Earth Stations Aboard Aircraft ("ESAA") (Call Sign E080100), using space segment capacity on the SES, S.A. ("SES") AMC-6 satellite ("AMC-6") at 72° W.L. Beginning in about two weeks, the AMC-2 satellite currently located at 81° W.L., and on which Row 44 currently uses significant capacity, will begin transiting to a new orbital position at 85° W.L. During this transition period, Row 44 requires alternate capacity in order to maintain its current service in U.S. airspace. Given the timing of this change-over, Row 44 must begin test transmissions in preparation for shifting traffic on Monday, May 23, 2016. Accordingly, Row 44 requires an STA commencing on that date, one business day from the filing of this application.

Row 44 seeks interim authority to employ capacity on AMC-6 as this capacity is immediately available to it as short-term replacement capacity during AMC-2's drift to its new location. This application is being filed now, just one business day prior to the proposed initiation of service, because of the need first to identify alternative capacity to replace AMC-2 on a temporary basis, and the requirement to obtain coordination certification from SES for its non-conforming spectrum use. The fact that Row 44 is already engaged in provision of service to the public, and the new space segment capacity is immediately required to maintain that service, constitute extraordinary reasons for granting the requested authority on short notice. See 47 C.F.R. § 25.120(a). Other than the addition of AMC-6 as a point of communication, Row 44's operations would remain consistent with all terms and conditions of its current license. Its proposed operations on AMC-6 would be limited to conventional Ku-band capacity frequencies at 11.7 to 12.2 GHz (downlink) and 14.05 to 14.47 GHz (uplink).

Row 44's operations will not cause harmful interference into adjacent satellites operating in accordance with FCC's two-degree spacing policy. Although the proposed operations are not fully compliant with Section §25.227(a)(1)(i) of the Commission's Rules, Row 44 has obtained, and provides as an attachment hereto, a coordination certification from SES in accordance with Sections 25.227(b)(2) of the Commission's Rules. Row 44's operations will also be fully consistent with its existing agreements with the National Science Foundation and the National Aeronautics and Space Administration, and will adhere to the terms and conditions 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 30 days "if the STA request has not been placed on public notice, and an application for regular authority is not contemplated." See 47 C.F.R. § 25.120(b)(4). Because Row 44 will not be filing an application for permanent access to AMC-6 at 72° W.L., its request is thus limited to thirty (30) days duration. Row 44 anticipates that the total length of its operations using AMC-6 will be no more than six to eight

weeks, which will nonetheless require it to seek an additional STA at the end of the initial 30-day period. Once AMC-2 reaches its new location at 85° W.L., Row 44 expects to transition its traffic back to that satellite.

Grant of the authority requested in this instance will promote the public interest by permitting Row 44 to provide uninterrupted service to existing customers using capacity on the AMC-6 satellite in lieu of capacity on AMC-2. Use of AMC-6 will help maintain effective coverage of all U.S. domestic routes currently served by Row 44. Grant of the requested STA is consistent with Commission policy and will not adversely affect other authorized operations. Row 44 acknowledges that any action taken pursuant to a grant of the requested STA will be at its own risk.

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The conventional Ku-band capacity that Row 44 seeks to use on AMC-6 is available to it immediately. Accordingly, Row 44 respectfully requests that the FCC grant it authority as of May 23, 2016, for a period of thirty (30) days, to use the AMC-6 satellite as a point of communication in the conventional Ku-band in the United States using TECOM antennas now operating under its FCC ESAA network license.