

EXPLANATORY STATEMENT

Row 44, Inc., pursuant to Section 25.120(b) of the FCC's Rules, hereby requests Special Temporary Authority ("STA") for an additional period of sixty (60) days to operate its licensed Ku-band network of Earth Stations Aboard Aircraft ("ESAA") (Call Sign E080100), using space segment capacity on the Eutelsat 115 West B ("E115WB") satellite at 114.9° W.L. Row 44 has filed an amendment to its pending modification application, File No. SES-MFS-20150928-00635 ("Modification Application"), that seeks to modify its ESAA license to operate with E115WB as a point of communication, File No. SES-AFS-20160614-00506 ("Amendment"). Prior to grant of that authority, Row 44 seeks permission to continue operating using E115WB on a non-protected, non-harmful-interference basis.

Row 44's current STA (File No. SES-STA-20160512-00428) has allowed it to employ capacity on E115WB for flights beginning and terminating in the Pacific Northwest, Alaska and the northeastern U.S. Row 44's operations otherwise remain consistent with all terms and conditions of its current license. Operations on E115WB, both current and proposed, are 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 provided as an attachment to both its Amendment and its initial STA Request a coordination certification from Eutelsat 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 sixty (60) days where the applicant the applicant "plans to file a request for regular authority for the service." *See* 47 C.F.R. § 25.120(b)(3). This is the case here, where the authority that Row 44 seeks has been sought via the pending modification application, as amended.

Grant of the authority requested in this instance will promote the public interest by permitting Row 44 to continue its provision of enhanced service to customers using capacity on the E115WB satellite. Additional use of the E115WB space segment will help maintain effective coverage of transcontinental routes that begin or end in U.S. airspace. Grant of the requested STA is consistent with Commission policy and will not adversely affect other authorized operations.

Row 44 acknowledges that favorable FCC action on this STA request would be without prejudice to the ultimate determination the FCC will make regarding its pending Modification Application and the forthcoming amendment thereto. In addition, 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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Row 44 is currently using the conventional Ku-band capacity on E115WB that is the subject of this request. Accordingly, Row 44 respectfully requests that the FCC grant it authority by July 18, 2016, for a period of sixty (60) days, to use the E115WB satellite as a point of communication in the conventional Ku-band in the United States using TECOM AMES now operating under its FCC ESAA network license.