

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 as soon as possible but no later than September 1, 2016, to permit up to 200 ESAA terminals to communicate with two U.S.-licensed satellites: Intelsat 29e at 50° W.L. and AMC-3 at 67° W.L.² Grant of the requested STA will serve the public interest by allowing Gogo to respond to urgent customer demand for additional capacity in North America, including on flights in U.S. airspace. Gogo seeks STA pending Commission action on Gogo’s recent application to modify its ESAA license, which includes a request to add Intelsat 29e and AMC-3 as authorized points of communication.³

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 seven 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 29e and AMC-3. 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 both satellites in the conventional Ku-band, with uplinks in the 14-14.5 GHz band and downlinks in the 11.7-12.2 GHz band; for Intelsat 29e,

¹ See Call Sign E120106, File No. SES-MFS-20151022-00735, granted June 30, 2016 (the “Gogo ESAA License”). A *pro forma* assignment of the Gogo ESAA license to Gogo’s affiliate AC BidCo LLC (“AC BidCo”) has been approved by the Commission but has not yet been consummated. See File No. SES-ASG-20160714-00659, granted July 19, 2016. Gogo requests that upon consummation of the assignment, the Commission continue to process this STA request but replace Gogo with AC BidCo as the applicant.

² Gogo is licensed for two ESAA terminals, the 0.24 meter AeroSat model HR6400 and the 0.74 meter ThinKom model 2Ku. Gogo requests authority for both antenna models to communicate with Intelsat 29e, but seeks authority to use only the ThinKom antenna for communications with AMC-3.

³ See *Gogo LLC*, Call Sign E120106, File No. SES-MFS-20160824-00738 (the “Gogo Modification Application”).

Gogo also seeks authority to use 10.95-11.7 GHz downlink spectrum on an unprotected basis.⁴ Gogo proposes to use Intelsat 29e and AMC-3 for service to North America, including for flights originating and/or terminating in the U.S.⁵ Gogo requires access to this capacity to ensure that it has sufficient bandwidth to meet near-term customer demand for in-flight connectivity.

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 29e and AMC-3 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 29e and AMC-3.⁶ Gogo's operations with these spacecraft 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.

Grant of the proposed STA will allow Gogo to respond to urgent customer demand for increased capacity on important air transport routes over the U.S. and the remainder of North America, 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.

⁴ See Gogo Modification Application, Narrative at 3-5.

⁵ *Id.*

⁶ Gogo Modification Application, Annex 3.

⁷ *Id.*, Narrative at 6. See also Gogo ESAA License at 9, condition 90304.