

## REQUEST FOR SPECIAL TEMPORARY AUTHORITY

AC BidCo LLC (“AC BidCo”), 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 as soon as possible but no later than March 1, 2017, to permit up to 200 ESAA terminals to communicate in the conventional Ku-band with the Argentine-licensed ARSAT-2 satellite located at 81° W.L.<sup>2</sup> Grant of the requested STA will serve the public interest by allowing AC BidCo to meet customer demand for additional capacity over North America, including in U.S. airspace. AC BidCo has submitted an amendment to add ARSAT-2 as an authorized point of communications for its ESAA network,<sup>3</sup> and seeks STA pending action on that application.

### Background

AC BidCo is currently authorized to operate Ku-band terminals with specified satellites for ESAA service in U.S. airspace, foreign airspace, and the airspace over international waters. AC BidCo’s license was issued based on demonstration that the proposed network would enhance competition in the provision of in-flight broadband service to air travelers and airline crew members and that the 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, AC BidCo is seeking authority to add ARSAT-2 as a point of communication for its ESAA network.

### STA Request

Pending action on the AC BidCo Amendment, AC BidCo seeks STA to commence communications with ARSAT-2 to meet customer demand. The AC BidCo Amendment contains complete information regarding AC BidCo’s proposed operations with this spacecraft, and AC BidCo incorporates that information by reference herein. The amendment also includes a letter confirming that AC BidCo’s proposed ESAA operations are consistent with coordination agreements with operators of the satellites within six degrees on either side of ARSAT-2, and a copy of the letter is attached hereto for the Commission’s convenience.

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<sup>1</sup> See Call Sign E120106, File No. SES-MFS-20160824-00738, granted Dec. 13, 2016 (the “AC BidCo ESAA License”).

<sup>2</sup> AC BidCo is licensed for two ESAA terminals, the 0.24 meter AeroSat model HR6400 designated as AES1 and the 0.74 meter ThinKom model 2Ku designated as AES2. AC BidCo seeks STA to use both antennas for communications with ARSAT-2.

<sup>3</sup> See Call Sign E120106, File No. SES-AFS-20170208-00139 (the “AC BidCo Amendment”), amending AC BidCo’s pending application to modify its ESAA license, File No. SES-MFS-20170109-00015.

ARSAT-2 has been approved for U.S. market access, and full technical data regarding the satellite is already on file with the Commission.<sup>4</sup> The technical parameters of the proposed operations with ARSAT-2 are consistent with those specified in the AC BidCo ESAA License.<sup>5</sup>

AC BidCo seeks authority to use ARSAT-2 capacity for ESAA operations on a primary basis in the 14-14.5 GHz uplink spectrum and in the 11.7-12.2 GHz downlink spectrum, consistent with the ARSAT-2 Market Access Grant and the Commission's orders in the ESAA proceeding.<sup>6</sup> Communications with the satellite will be supported by a teleport in Brewster, WA, Call Sign E120043.

ARSAT-2 will provide coverage of North America. AC BidCo requires access to this capacity to ensure that it has sufficient bandwidth to meet near-term customer demand for in-flight connectivity.

AC BidCo emphasizes that the scope of this STA request is limited. AC BidCo is only seeking authority to add ARSAT-2 as an authorized point of communication for a limited number of ESAA terminals. AC BidCo is otherwise prepared to operate consistently with the terms and conditions set forth in the existing AC BidCo ESAA License. In addition, AC BidCo 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. AC BidCo's proposed operations with ARSAT-2 are consistent with coordination agreements with adjacent satellite operators and will also conform to the terms of AC BidCo's agreements with the National Science Foundation and the National Aeronautics and Space Administration, as required by the AC BidCo ESAA License.<sup>7</sup> In addition, AC BidCo will comply with power flux density limits to protect terrestrial services outside the U.S.

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<sup>4</sup> *Empresa Argentina de Soluciones Satelitales S.A.*, Call Sign S2956, File No. SAT-PPL-20160304-00024, grant-stamped July 21, 2016 ("ARSAT-2 Market Access Grant").

<sup>5</sup> Operations with ARSAT-2 will not involve any increase in the maximum off-axis EIRP density levels previously described to the Commission for the AC BidCo ESAA terminals.

<sup>6</sup> *Revisions to Parts 2 and 25 of the Commission's Rules to Govern the Use of Earth Stations Aboard Aircraft Communicating with Fixed-Satellite Service Geostationary-Orbit Space Stations Operating in the 10.95-11.2 GHz, 11.45-11.7 GHz, 11.7-12.2 GHz and 14-14.5 GHz Frequency Bands*, Notice of Proposed Rulemaking and Report and Order, IB Docket Nos. 12-376 & 05-20, 27 FCC Rcd 16510 (2012); Second Report and Order and Order on Reconsideration, IB Docket No. 12-376, 29 FCC Rcd 4226 (2014).

<sup>7</sup> AC BidCo ESAA License, Special and General Provisions, Condition 90304.

Grant of the proposed STA will allow AC BidCo 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.

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



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Federal Communications Commission  
International Bureau  
445 12th Street, S.W.  
Washington, D.C. 20554

February 6, 2017

**Re: Engineering Certification of ARSAT**

To Whom It May Concern:

This letter certifies that ARSAT has been informed by SATELITES MEXICANOS, S.A DE C.V. on behalf of AC BidCo LLC that AC BidCo LLC is planning to seek a modification to its blanket authorization from the Federal Communications Commission ("FCC"), to operate two types of technically identical Ku-band transmit/receive earth stations aboard aircraft ("ESAAs"), Call Sign E120106. AC BidCo LLC seeks additional authorization for these aeronautical Ku-band earth stations to also utilize ARSAT-2 at 81° W.L. under the current ESAA rules including Section 25.227.

ARSAT certifies that the characteristics of the AC BidCo LLC ESAA terminals with ARSAT-2 is consistent with existing coordination agreements with all adjacent satellite operators within +/- 6 degrees of orbital separation from ARSAT-2. If the FCC authorizes the operations proposed by AC BidCo LLC, ARSAT will take into consideration the power density levels associated with the operations of AC BidCo LLC in all future satellite network coordination with other adjacent satellite operators, in the related frequency band and polarization, in accordance with the established international regulations, and as long as both companies are commercially related.

The confirmation provided by this means shall be limited to the information provided by SATELITES MEXICANOS, S.A. DE C.V. on behalf of AC BidCo LLC up to the present date. Should the information of SATELITES MEXICANOS, S.A. DE C.V. and/or AC BidCo LLC be modified, the present letter shall not be valid until further analysis is completed, and if required, ARSAT would provide the FCC with an updated letter reflecting any modification to the above.

ARSAT has also stated to SATELITES MEXICANOS, S.A. DE C.V. that the ESAA antennas must be installed and operated in accordance with AC BidCo LLC's representations and the terms of the AC BidCo LLC FCC license. In particular, the ESAA antennas will operate in compliance with the pointing accuracy and shutdown requirements of 47 C.F.R. Section 25.227(a) of the Commission's Rules that apply to ESAA operations.

Sincerely

  
Name  
ARSAT Or. **Rodrigo de Loredo**  
Title **Presidente**  
**ARSAT**

*February 6<sup>th</sup>, 2017*  
Date