

### **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 SES, S.A. ("SES") AMC-3 satellite ("AMC-3") at 72° W.L. Row 44 was authorized to transmit to AMC-3 at the 67° W.L. orbital location as part of its existing ESAA license. The AMC-3 satellite, however, has been permanently relocated to 72° W.L., and Row 44 was initially granted STA to operate at this location in January (FCC File No. SES-STA-20161223-00972). Row 44 has filed an application to modify its license to specify long-term operation on AMC-3 at 72° W.L. *See* FCC File No. SES-MFS-20170221-00188 (originally filed as SES-MFS-20170126-00061).

Row 44's operations on AMC-3 at 72° W.L. will not cause harmful interference to any adjacent satellites operating in accordance with FCC's two-degree spacing policy. Row 44 attached to its original STA request a coordination certification letter from SES, in accordance with Sections 25.227(b)(2) of the Commission's Rules, covering the proposed operation, which is also be consistent with its existing, long-term coordination agreements with the National Science Foundation and the National Aeronautics and Space Administration.

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 60 days where the applicant has filed a request for permanent authority for the parameters and facilities requested. *See* 47 C.F.R. § 25.120(b)(3). This is the case here, where Row 44 has filed an application to modify its license permanently to permit access to AMC-3 at its new 72° W.L. orbital location.

Grant of the authority requested here will continue to promote the public interest by permitting Row 44 to provide ongoing service to its customers using capacity on the AMC-3 satellite at 72° W.L. Continued use of AMC-3 at its new orbital location will 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, and respectfully requests that the FCC grant it continued authority as of May 8, 2017, for a period of sixty (60) days, to use the AMC-3 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.