

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

AC BidCo LLC (“AC BidCo”), 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 no later than January 12, 2018, to permit up to 50 AeroSat model HR6400 ESAA terminals and up to 100 ThinKom model 2Ku terminals to communicate in the 10.7-11.7 GHz extended Ku-band frequencies with the Gibraltar-licensed SES-15 satellite at 129.15° W.L. The Commission has authorized SES-15 to serve the U.S. in both the conventional and extended Ku-band frequencies,² and complete technical information regarding the satellite is therefore already on file with the Commission. Grant of the requested STA will serve the public interest by allowing AC BidCo to respond to customer demand for additional capacity on flights over North America, including in U.S. airspace. AC BidCo seeks STA pending Commission action on AC BidCo’s application to modify its ESAA license, which includes a request to add SES-15 as an authorized point of communication.³

Background

AC BidCo 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. 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 to modify the AC BidCo ESAA License to revise the satellites authorized as points of communication for the AC BidCo network and to update certain technical parameters.

STA Request

Pending action on the AC BidCo Modification Application, AC BidCo seeks STA to commence communications in the extended Ku-band with SES-15.⁴ The AC BidCo

¹ See Call Sign E120106, File No. SES-MFS-201700725-00793, granted Oct. 4, 2017 (the “AC BidCo ESAA License”).

² See *SES Satellites (Gibraltar) Limited*, Call Sign S2951, File Nos. SAT-PPL-20160126-00007, granted July 12, 2016; SAT-MPL-20160718-00063, granted Dec. 14, 2016; & SAT-MPL-20170914-00130, granted Nov. 22, 2017.

³ See Call Sign E120106, File No. SES-MFS-20171220-01351 (the “AC BidCo Modification Application”).

⁴ As discussed in the AC BidCo Modification Application, AC BidCo also plans to use conventional Ku-band capacity on SES-15 pursuant to Section 25.118(a)(3)(ii) of the

Modification Application contains complete technical information regarding AC BidCo's proposed operations with SES-15, and AC BidCo incorporates that information by reference herein. As described in the application, AC BidCo seeks to communicate with SES-15 in the 10.7-11.7 GHz extended Ku-band frequencies on an unprotected basis.⁵ AC BidCo proposes to use SES-15 for service over North America and the Pacific Ocean, including in U.S. airspace.⁶ 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 narrower than that of the pending AC BidCo Modification Application. Here, AC BidCo is only seeking authority to add SES-15 as an authorized point of communication in extended Ku-band frequencies 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 has submitted a letter confirming that its proposed ESAA operations have been coordinated with operators of the satellites within six degrees on either side of SES-15.⁷ AC BidCo's operations with this spacecraft will also conform to the terms of its agreements with the National Science Foundation and the National Aeronautics and Space Administration. In addition, AC BidCo will comply with power flux density limits to protect terrestrial services outside the U.S.

In connection with this STA request, AC BidCo requests a waiver of footnote NG52 to the Table of Allocations in Section 2.106 of the Commission's rules to permit ESAA operations with the SES-15 satellite in the 10.7-10.95 GHz and 11.2-11.45 GHz bands on an unprotected, non-interference basis for ESAA operations, including for terminals in U.S. airspace. As explained in the AC BidCo Modification Application, waiver to permit U.S. domestic operations

Commission's rules, which allows earth station licensees to implement changes in points of communication without prior consent of the Commission if the change results from deployment of a replacement space station authorized to serve the United States. 47 C.F.R.

§ 25.118(a)(3)(ii). In the conventional Ku-band, SES-15 is a replacement for the AMC-1 satellite currently authorized as a point of communication in the AC BidCo ESAA License.

⁵ See AC BidCo Modification Application, Narrative at 5.

⁶ *Id.*, Annex 2.

⁷ *Id.*, Annex 3.

in these band segments is supported by Commission precedent and will not undermine the purpose of the international only limitation in footnote NG52.⁸

Grant of the proposed STA will allow AC BidCo to respond to customer demand for increased capacity on important air transport routes over the U.S., 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 Modification Application. 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.

⁸ See AC BidCo Modification Application, Narrative at 7-9.