

APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

Pursuant to Section 25.120 of the Federal Communications Commission (the “FCC” or “Commission”) rules, 47 C.F.R. §25.120, GCI Communication Corp. (“GCI”) is seeking a 60-day special temporary authorization (“STA”) to provide service via two fixed satellite service (“FSS”) earth stations in the 3.7-4.2 and 5.925-6.425 GHz band (the “C-Band”).¹ GCI submits this request pursuant to informal FCC Staff discussions and is seeking temporary authorization to provide service via 3.6 meter Scientific Atlanta 8136 antenna earth stations (the “Station”) located at Kotzebue, AK to communicate with Galaxy 18 and ANIK F3. The Station is an existing station, currently licensed to and owned and operated by the Federal Aviation Administration (“FAA”). The site, call sign E960346, is currently part of the FAA Alaskan Satellite Telecommunications Infrastructure (ASTI) program, which links the Alaskan Air Route Traffic Control Center in Anchorage, Alaska with 64 FAA facilities throughout the region.² This infrastructure provides Alaska with 90 percent of its inter-facility communications for critical, essential and routine air traffic control services supporting commercial aviation.³ This includes communications for commercial airline service in Alaska, commercial international over the pole flights, as well as commercial international flights to the Asia-Pacific. GCI seeks this STA to

¹ GCI recognizes that there is a current freeze “on the filing of new or modification applications for FSS earth station licenses, receive-only earth station registrations, and fixed microwave licenses in the 3.7-4.2 GHz frequency band.” The freeze on commercial C-band earth station activities does not apply to (a) STA requests for FSS earth station licenses in the C-Band and (b) the operations at issue given their longstanding DBE status. Once granted, GCI will provide ongoing service via the Station solely to the FAA that would not change the status quo in terms of earth station operations in the C-Band. Operations would be limited to FAA services. Out of an abundance of caution, if this STA request is considered a filing prohibited by this freeze, GCI respectfully requests a waiver of the freeze, as a grant of this STA request would “serve the public interest and not undermine the objectives of the freeze.” See *Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Stations and Fixed Microwave Stations in the 3.7-4.2 GHz Band, 90 Day Window to File Applications for Earth Stations Currently Operating in 3.7-4.2 GHz Band*, Public Notice, 1, 3, DA 18-398 (rel. Apr. 19, 2018).

² See L3Harris, Alaskan Satellite Telecommunications Infrastructure (ASTI) <https://www.harris.com/solution/alaskan-satellite-telecommunications-infrastructure-asti> (last visited Aug. 7, 2019).

³ *Id.*

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license the above-referenced existing antenna on C-Band spectrum as soon as possible, but no later than August 16, 2019, in order to support these critical U.S. aviation communications in Alaska.

GCI is requesting an STA for a period not to exceed 60 days pursuant to 47 C.F.R. §25.120(3), and will be filing a request for regular authority for this service, therefore this application need not be placed on public notice and should be granted expeditiously pursuant to the FCC's rules. GCI's operation of this Station would not cause harmful interference into surrounding networks, and there are extraordinary circumstances supporting the grant of these temporary operations which are in the public interest and any delay in the institution of these temporary operations would seriously prejudice the public interest.

Grant of this request for STA is necessary for GCI to provide critical telecommunications services in rural Alaska exclusively to the FAA. As documented in Attachment A to this filing, the FAA is migrating from the FAA-owned satellite infrastructure to commercial satellite services provided by L3Harris Technologies and its carrier partners. As documented in Attachment B, L3Harris Technologies has chosen GCI as its carrier partner to provide C-Band satellite communications services at designated locations in Alaska as part of the FAA's ASTI program. The migration from the FAA infrastructure to GCI is scheduled to occur on August 19, 2019, and the continuity of service at this time is imperative. GCI needs authority to operate by August 16, 2019 so that it can install equipment and be operational by August 19th. Although GCI will be filing an application for regular authority of the Station within the next 60 days, GCI is still completing the regulatory reviews, notifications, and analyses required to be completed prior to filing that application, which will not be completed by this date due to regulatory

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timetables and guidelines.⁴ Hence, GCI is seeking this STA. Without a grant of this requested temporary authority, GCI will be unable to support ongoing critical U.S. aviation communications in Alaska. This includes critical communications for international over the pole (North Pole) flights, as well as international flights to the Asia-Pacific.

GCI's request for an STA at this location and for this service qualifies as "extraordinary circumstances requiring temporary operations in the public interest," for which "delay in the institution of these temporary operations would seriously prejudice the public interest."⁵ A grant of this STA would allow GCI to provide critical services to the FAA over this license once the migration occurs. On August 19, 2019, the FAA's ASTI program will rely on GCI's services to support critical aviation communications in some of the most rural portions of the country, linking pilots to the world outside of their remote location.

Allowing a STA to permit GCI to provide service over the C-Band, for 60 days, would certainly be in the public interest. Providing critical service to the federal government, and specifically the FAA, is a direct life safety issue for proper aircraft separation and control, and illustrates a "compelling reason" to expeditiously grant the requested STA. The service provided by GCI at this site will enable pilots to communicate with one another and air traffic controllers to prevent collisions, accidents, and to preserve human life. GCI is in the process of preparing a license application for regular authority, and is obtaining all necessary documentation to file such an application within the next 60 days. Due to the need to deliver telecommunications service to the FAA by August 19, 2019, and thus provide service via this site, GCI requests an STA to be granted no later than August 16, 2019.

⁴ GCI is currently completing an environmental review pursuant to 47 CFR 1.1307, completing an analysis for a coordination report pursuant to 47 CFR §§ 25.115(c)(2)(ii); 25.130(b)(1); 25.131(d); 25.203(c).

⁵ 47 C.F.R. §25.120(b)(1).

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GCI's proposed utilization of earth station antennas as detailed in this STA application does not require FAA notification prior to construction pursuant to the FCC's rules, as the height of each antenna will not be altered and will remain under 6.10 meters or 20 feet (3.6 meters).⁶

⁶ See 47 C.F.R. § 17.7.