

Description of STA Request

Comtech Mobile Datacom Corporation (“CMDC”) requests special temporary authority (“STA”), pursuant to Section 25.120(b)(2) of the Commission’s Rules, to continue operations as currently authorized under CMDC’s existing blanket license E090027 (the “ROUS” license).¹ CMDC provides mobile packet data communications services to federal government and commercial customers throughout the United States and overseas. (While CMDC currently has no commercial customers, it has served such customers in the past.) The license is set to expire on November 2, 2019. On September 25, 2019, CMDC filed a modification application (“Modification Application”), as directed in its current license conditions, to extend the term of the ROUS license for two years. *See* SES-MOD- 20190925-01207. Aside from extending the term of the license, the modification application does not seek to alter the Company’s licensed authority. CMDC is filing the instant request for an STA because it is clear that grant of the Modification Application will not occur prior to the current expiration date for the ROUS license. CMDC seeks STA pending action on its Modification Application.

In support of this STA request, CMDC refers to the information provided in its Modification Application, including Exhibit A (Description of Application, Services to be Provided, Frequencies Requested and Public Interest Showing); Exhibit B (Radiation Hazard Study); Exhibit C (Information Required by Section 25.137 on Non-U.S. Licensed Satellite); and Exhibit D (Request for Waiver).

CMDC notes that it has been operating under the ROUS license pursuant to a waiver of footnotes US308 and US315 to the U.S. Table of Frequency Allocations and Section 25.136(d) of the Commission’s Rules with respect to the operation of its MTM202 half-duplex terminals outside of the continental United States. The Company’s MTM202 terminals do not comply with the National Telecommunications and Information Administration’s (“NTIA’s”) interpretation of these footnotes with respect to the shutdown requirement when operated in certain locations outside of CONUS, most notably Alaska and Hawaii. The Modification Application requests grant of this waiver for an additional two-year period. In order to continue operations following expiration of the ROUS license and prior to grant of the Modification Application, however, CMDC respectfully requests that the STA requested herein include temporary grant of this waiver as well. This request should be granted for all the reasons discussed in the Modification Application, Exhibit D, *Request for Waiver*. Further, grant of this temporary waiver will serve the public interest insofar as continued operations pursuant to the STA will be impracticable without the waiver.

CMDC requests that the Commission grant temporary authority to operate the ROUS license to take effect beginning November 2, 2019 for a minimum of 60 days and continue, if necessary, until such time as the Commission acts on the Modification Application.

Section 25.120(b)(1) of the Commission’s Rules provides that the Commission may grant a temporary authorization only upon a finding that there are extraordinary circumstances requiring temporary operations in the public interest and that delay in the institution of these temporary operations would seriously prejudice the public interest. CMDC submits that such extraordinary circumstances exist here. CMDC is requesting an STA to continue to satisfy the

¹ *Satellite Communications Services Information re: Actions Taken*, Report No. SES-02005 (Nov. 1, 2017) (granting license for additional 2-year period).

needs of its current customer, notably the U.S. Army, for service in the U.S. and worldwide. Specifically, the U.S. Army's Joint Battle Command-Platform ("JBC-P") command and control system, also known as Blue Force Tracking ("BFT") operates the MTM202 METs in the U.S. and worldwide. Grant of the requested STA will advance the public interest in that it will enable CMDC to satisfy the needs of the Army without disruption of service. At the same time, CMDC's operations pursuant to the authority requested herein will not, in all likelihood, result in any harm to the public interest. While CMDC's terminals and operations, continuance of which is proposed herein, do not entirely comply with the letter of the Commission's requirements for priority access and real-time preemption in the L-band, they comply with the spirit of those requirements. And, as noted, the remaining potential for noncompliance with the prescribed duration for shutdown is minimal. As discussed in the Modification Application, Exhibit D, the Commission's previous grant of a waiver of footnotes US308 and US315 and Section 25.136(d) in conjunction with past grants of authority to operate pursuant to CMDC's E090027 license provides precedent for grant of a similar (temporary) waiver in connection with this STA request.

CMDC acknowledges that any grant of this STA request is without prejudice to, and will be conditioned on, the Commission's final action on any CMDC application.

For the reasons set forth above, CMDC respectfully requests that this STA be granted no later than November 2, 2019.

VERIFICATION

I, Greg Handermann, am VP, Advanced Systems, of Comtech Mobile Datacom Corporation ("CMDC"). I am authorized to represent CMDC and to make this verification on its behalf. The statements in the foregoing document relating to CMDC are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.



Greg Handermann
VP, Advanced Systems

October 18, 2019