

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of

Application of Alaska Communications) Call Sign: E170205
Internet LLC for 60-Day Special Temporary)
Authorization (“STA”)) File No. SES-STA-_____

APPLICATION FOR SPECIAL TEMPORARY AUTHORIZATION

Pursuant to Section 25.120 of the rules of the Federal Communications Commission (the “FCC” or “Commission”),¹ Alaska Communications Internet LLC (“Alaska Communications Internet”) respectfully seeks a 60-day special temporary authorization (“STA”), commencing on Tuesday, April 23, 2019, to continue to operate one remote earth station site, located at False Pass, Alaska, on Unimak Island in the Aleutian chain. Alaska Communications intends to file an application to modify its current commercial license to include this site as soon as possible following Commission action on the currently-pending application to modify that license, Call Sign E170205.² In this Application, Alaska Communications proposes identical operations to those under its existing Special Temporary Authority which it is already serving this customer.³ In particular, the site will continue to communicate with the C-band network hub operated by Alaska Communications Internet as part of its existing C-band very small aperture terminal (“VSAT”) network.⁴

¹ See 47 C.F.R. § 25.120.

² See Alaska Communications Internet LLC, File No. SES-MOD-20180626-0142, Call Sign E170205 (“*ACI Modification Application*”). Alaska Communications Internet anticipates filing an application for regular authority to operate this site as part of the network licensed under its existing *ACI Network License* soon as the pending *ACI Modification Application* is granted.

³ See Alaska Communications Internet LLC, File No. SES-STA-20190211-00110 (“*Silver Bay STA*”).

⁴ See 47 C.F.R. § 25.115(c)(2); Alaska Communications Internet LLC, File No. SES-LIC-20171116-01257, Call Sign E170205, and subsequent modification and amendment applications (“*ACI Network License*”).

Alaska Communications Internet seeks this STA to extend its existing authority in the *Silver Bay STA* and permit continued provisioning of critical broadband satellite communications services to this location, while the *ACI Modification Application* is under the Commission's consideration. Consistent with the *ACI Network License*, Alaska Communications Internet seeks to operate this site in portions on the C-band at fixed locations in Alaska while communicating with the EUTELSAT 115WB satellite located at the 114.9° W.L. orbital position.

Grant of this STA request will serve the public interest because it will enable Alaska Communications Internet to continue to deliver critically needed broadband services to support Silver Bay Seafood, LLC ("Silver Bay Seafood"), an integrated processor of frozen salmon, herring and squid products for U.S. domestic and export markets, and the Alaska bush community surrounding its False Pass processing plant.⁵ As one of the largest seafood companies in Alaska, Silver Bay Seafood needs reliable broadband services to support its operations, management and personnel, manage logistics, coordinate shipments, establish a solid fish buying system, and keep its employees on Unimak Island connected to their families and the larger world.

I. Background

Alaska Communications Internet is an affiliate of Alaska Communications Systems Group, Inc. ("Alaska Communications"), a publicly-traded company that, through its subsidiaries, provides terrestrial wireline telecommunications and broadband-enabled services throughout

⁵ Unlike Alaska's three largest population centers, and the surrounding rural communities, Alaska Bush communities are isolated geographically from infrastructure resources commonly available elsewhere in the state, and the nation as a whole. Most Bush communities cannot be accessed by road, nor are they connected to the state's power grid. To reach these communities, people, as well as goods and services, must arrive by plane, barge, snow machine, all-terrain vehicle, or other off-road transportation means. Communications services in these communities generally must rely on satellite or terrestrial point-to-point microwave transport links to Anchorage, Fairbanks, or Juneau.

Alaska as the largest incumbent local exchange carrier in the state.⁶ Alaska Communications Internet provides essential broadband and voice-over-Internet Protocol (“VoIP”) services to enterprise, business, educational, health care, and residential customers throughout the state.

The *ACI Network License* authorizes Alaska Communications Internet to operate a network of C-band satellite earth stations in order to provide satellite services to diverse users in remote locations in Alaska. Specifically, from the gateway hub in Anchorage, Alaska, the network currently serves the Alaska Native population of St. Paul Island, and the Tanadgusix Corporation (“TDX”), an Alaska Native corporation created pursuant to the Alaska Native Claims Settlement Act (“ANCSA”). In addition, the C-band VSAT network serves local businesses co-owned by the Bristol Bay Economic Development Corporation (“BBEDC”),⁷ providing broadband connectivity that supports the local fishing and seafood industries, as well as a test site located in Anchorage, Alaska. Alaska Communications Internet has also sought authorization to extend its network to deliver broadband telecommunications and Internet services to ten primary and secondary school locations in additional Alaska bush communities.⁸ This STA will enable Alaska Communications Internet to extend this network to provide broadband and internet connectivity on the Aleutian Island chain.

Alaska Communications Internet incorporates by reference (and attaches as an Exhibit to this STA) the Technical Appendix showing the details of its proposed earth station operations at

⁶ The incumbent local exchange carrier (“ILEC”) subsidiaries of Alaska Communications are: ACS of Anchorage, LLC; ACS of Fairbanks, LLC; ACS of Alaska, LLC; and ACS of the Northland, LLC; *see also* ACS Long Distance, Inc., File Nos. ITC-214-19960612-00248, ITC-T/C-20050822-00382, ITC-T/C-20040414-00190 (International Section 214 authorization).

⁷ The BBEDC is a not-for-profit company whose mission is to promote economic growth and opportunities for residents of BBEDC’s member communities through sustainable use of the Bering Sea resources. *See* <http://www.bbcdc.com>.

⁸ *See* Alaska Communications Internet, LLC, File No. SES-MOD-20180626-01472, Call Sign E170205 (“*ACI Kuspuk Modification Application*”).

the False Pass site, including a draft FCC Form 312 Schedule B. Those documents provide relevant information relating to the earth station operating parameters, performance information and radiation hazard analyses.

II. Discussion

This STA request seeks authority to continue to operate one remote earth station site at False Pass, Alaska, which will communicate with the C-band network hub operated by Alaska Communications Internet under the *ACI Network License* via the EUTELSAT 115WB satellite in portions of the C-band.

A. New Site Location

The False Pass site is located the Aleutians East Borough on Unimak Island (geographic coordinates: 54°51'54.00"N 163°24'42.20"W). There, Alaska Communications Internet proposes to operate a 3.8m Prodelin Model 2385 (the “3.8m”) earth station. The Prodelin 2385 is, in all material respects, electrically identical to the Prodelin 1383, a model that the Commission has licensed for two other sites in the *ACI Network License*, and which appears on the Commission’s Approved Non-Routine Earth Station Antennas List (“Non-Routine Antenna List”).⁹ The Prodelin 2385 includes a stronger, reinforced support structure than that supplied with the Prodelin 1383, which is necessary to withstand the high winds and inclement weather that Unimak Island frequently experiences. Although the Prodelin 2385 earth station (like the Prodelin 1383) does not comply with the gain mask in Section 25.209 of the Commission’s rules, Alaska Communications Internet demonstrates in the attached Schedule B that it will operate the terminals at maximum ESD levels below those currently authorized in the *ACI Network License*

⁹ See Approved Non-Routine Earth Station Antennas, <https://www.fcc.gov/approved-non-routine-earth-station-antennas>.

and in compliance with the ESD mask set forth in Section 25.218(d) of the Commission’s rules.¹⁰ Alaska Communications Internet will continue to operate the earth stations below the maximum EIRP spectral density (“ESD”) levels authorized in the *ACI Network License* and consistent within levels previously approved by the Commission.¹¹

The earth station will be mounted on a pole in an area inaccessible to the general public. Its planned location is not among any “districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places,”¹² and thus falls within the exemptions of Section 1.1306(a)-(b) and Note 1 to that rule.¹³ Accordingly, no environmental assessment is required as part of this application because each proposed site is categorically exempt under Section 1.1306 of the Commission’s rules.¹⁴

B. Frequency Coordination

Alaska Communications Internet engaged Micronet Communications, Inc. (“Micronet”) to perform frequency coordination in support of the *ACI Modification Application*, which was completed on January 5, 2019. Pursuant to Sections 25.115(c)(2)(ii) and 25.203 of the Commission’s rules,¹⁵ Micronet has conducted a coordination analysis on behalf of Alaska

¹⁰ See 47 C.F.R. § 25.218(d).

¹¹ See *ACI Network License* (Dimond D and St. Paul Island sites); RCN License Subsidiary, Inc., SES-LIC-20050114-00077, Call Sign E050016 (Max EIRP density 45.4 dBW/4kHz); Intelsat LLC, File No. SES-LIC-20110627-00745, Call Sign E110100 (Max EIRP density 31.9 dBW/4kHz); Public Broadcasting of Colorado, Inc., SES-MOD-20060608-00951, Call Sign E030163 (Max EIRP density 43.2 dBW/4kHz); Harris Corporation, File No. SES-LIC-20060302-00342, Call Sign E060075.

¹² 47 C.F.R. § 1.1307(a)(4).

¹³ See 47 C.F.R. § 1.1306, Note 1 (“The provisions of §1.1307(a) requiring the preparation of EAs do not encompass the mounting of antenna(s) and associated equipment (such as wiring, cabling, cabinets, or backup-power), on or in an existing building, or on an antenna tower or other man-made structure, unless §1.1307(a)(4) is applicable.”).

¹⁴ See 47 C.F.R. § 1.1306.

¹⁵ See 47 C.F.R. §§ 25.115(c)(2)(ii) and 25.203.

Communications Internet that considers all existing, proposed, and prior coordinated microwave facilities within the contours of the proposed earth stations at the Silver Bay False Pass site.

As demonstrated in the attached frequency coordination report, as coordinated and limited, there is no potential for interference into other users of the C-band spectrum sought herein by Alaska Communications Internet. Moreover, Micronet received no objections in response to its Prior Coordination Notices, and Alaska Communications Internet currently operates the site with no reported cases of interference. Alaska Communications Internet will coordinate any additional hub or remote operations prior to bringing them into use as part of the C-band VSAT network.

C. The C-Band Temporary Freeze Public Notice

Alaska Communications Internet acknowledges the Commission's Public Notice placing a temporary freeze on the filing of all new or modification applications for earth stations in the 3.7-4.2 GHz band, effective as of April 19, 2018.¹⁶ The *Temporary Freeze Public Notice* does not include a freeze on requests for special temporary authority for short-term operations, and thus the instant request is outside the scope of the freeze. Furthermore, grant of this STA Application will strongly serve the public interest by enabling the delivery of critically needed broadband telecommunications and Internet access services in the Alaska bush, where terrestrial connectivity is mostly unavailable.

¹⁶ See Public Notice, *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 the 3.7-4.2 GHz Band*, DA 18-398 (rel. on April 19, 2018) ("*Temporary Freeze Public Notice*"). See also, Public Notice, GN Docket Nos. 17-183, 18-122, "International Bureau Announces 90-Day Extension of Filing Window, to October 17, 2018, to File Applications for Earth Stations Currently Operating in 3.7-4.2 GHz Band; Filing Options for Operators with Multiple Earth Station Antennas," DA 18-639 (rel. Jun. 21, 2018).

In conjunction with its forthcoming request for regular authority to operate the False Pass site as part of the network licensed under its existing *ACI Network License*, Alaska Communications Internet intends to seek a waiver, to the extent required, of the *Temporary Freeze Public Notice*. As discussed in the *Silver Bay STA* Legal Narrative, grant of that waiver request, when filed, would enable Alaska Communications Internet to expand its delivery of reliable and effective broadband services to an additional remote location, namely the Silver Bay Seafood processing plant and nearby residents of False Pass.¹⁷

III. Request for Special Temporary Authority and Public Interest Considerations

Section 25.120(a) provides that an STA request should be filed at least three business days prior to commence of proposed operations. Here, Alaska Communications Internet has timely filed this 60-day STA request so that the Commission may permit operations by April 23, 2019. Moreover, Section 25.120(b)(2) states that the Commission may grant a temporary authorization for up to 60 days if the STA request has not been placed on public notice and the applicant plans to file a request for regular authority for the service. As noted, the *ACI Modification Application* has already been filed with the Commission and the Public Notice period for the application ended on August 17, 2018. This STA extension request will ensure Alaska Communications Internet has appropriate authority during the Commission's ongoing review of the *ACI Modification Application* and until such time as it can file for long-term commercial authority for the operations proposed herein. Pursuant to Commission rules and precedent, Alaska Communications Internet understands that this timely filed extension request

¹⁷ See *Silver Bay STA*, Legal Narrative, Section II.C.

will effectively extend its current temporary authority until the Commission acts on the instant request, affording sufficient time for coordination between the IB and the WTB.¹⁸

Grant of the requested 60-day STA will strongly serve the public interest by allowing Alaska Communications Internet to continue to provide broadband services to an additional remote Alaskan community that must rely on this service for basic connectivity needs. Grant of the STA will allow Alaska Communications Internet to serve underserved communities in False Pass, and help improve the local economy, enhance economic opportunity and well-being of its residents, and bridge the digital divide. Users will have broadband Internet access, e-mail, voice and data services, greatly enhancing economic opportunities in these remote locations. Finally, grant of this application will also create an additional competitive alternative for customers in the Alaska Bush, an undeserved area with little competition to existing terrestrial microwave and satellite providers.

IV. Conclusion

Based on the foregoing, the public interest would be served by a grant of this STA to Alaska Communications Internet to permit continued operation of one additional site as part of its C-band VSAT network in Alaska for a period of 60 days commencing on April 23, 2019.

¹⁸ See 47 C.F.R. §§ 25.120 & 25.163(b); Administrative Procedure Act § 9(b). See also 47 C.F.R. §1.955(b); *In the Matter of Marc D. Sobel Application for Consent to Assign the License for Conventional 800 MHz SMR Station KKT934, Montrose, California*, Memorandum Opinion & Order, FCC 05-90, ¶¶ 2 & 6.