

**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, October 6, 2019, to continue to operate a remote earth station site as part of its existing C-band very small aperture terminal (“VSAT”) network² during the Commission’s review of its pending modification application.³ Consistent with its existing authority for identical operations,⁴ Alaska Communications Internet will continue to use this earth station to deliver critical broadband satellite communications services to the Arch Priest Nicholas Kompkoff Health Clinic (the “Chenega Clinic”) operated by Chugachmiut, an Alaska Native 501(c)(3) non-profit agency incorporated in 1974 to serve the seven Native tribes in Alaska’s Chugach region. The Chenega Clinic is located on Chenega Island, a remote area within the Chugach National Forest. Consistent with the *ACI Network License*, Alaska Communications Internet will operate this site

¹ See 47 C.F.R. § 25.120.

² See Alaska Communications Internet LLC, File No. SES-LIC-20171116-01257, Call Sign E170205, and subsequent modification and amendment applications (“*ACI Network License*”).

³ See Alaska Communications Internet LLC, File No. SES-MOD-20190828-01106, Call Sign E170205 (“*ACI Modification Application*”). In the *ACI Modification Application*, Alaska Communications Internet seek regular authority to operate the subject Chenega Clinic site as part of its C-band VSAT network.

⁴ See Alaska Communications Internet LLC, File No. SES-STA-20190712-00914 (“*Chenega Clinic STA*”) (expires on October 6, 2019).

in the C-band at a fixed location 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 provide the Chenega Clinic with uninterrupted, critically needed broadband services supported by the Commission's Rural Health Care ("RHC") Universal Service Support Mechanism. These services will support vital telehealth and telemedicine connectivity needed to support patient care at the Chenega Clinic,⁵ which is the primary source of health care in this remote Alaska Bush community,⁶ for Funding Year 2019, which began on July 1, 2019.

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 Alaska as the largest incumbent local exchange carrier in the state.⁷ 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

⁵ Geographic coordinates: 60° 03' 56.3" N, 148° 01' 01.6" W.

⁶ 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.

⁷ 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).

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”),⁸ providing broadband connectivity that supports the local fishing and seafood industries, as well as a test site located in Anchorage, Alaska. Finally, Alaska Communications Internet was recently granted Commission authority to extend its network to deliver broadband telecommunications and Internet services to ten primary and secondary school locations in additional Alaska Bush communities.⁹

While the *ACI Modification Application* remains pending, Alaska Communications Internet has obtained special temporary authority to serve a seafood processing plant operated by Silver Bay Seafood, LLC at False Pass, Alaska,¹⁰ as well as to serve coastal seafood processing plants operated by Trident Seafood Corporation and a remote mining operation.¹¹ Moreover, Alaska Communications Internet seeks to provide critically-needed middle mile backhaul service needed to maintain voice and broadband communications services for customers of OTZ

⁸ 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.bbedc.com/>.

⁹ See Alaska Communications Internet LLC, SES-MOD-20180626-01472, Call Sign E170205.

¹⁰ See Alaska Communications Internet LLC, File Nos. SES-STA-20190211-00110 and SES-STA-20190418-00526, Call Sign E170205 (“*Silver Bay STA*”).

¹¹ See Alaska Communications Internet LLC, File Nos. SES-STA-20190515-00602 and SES-STA-20190724-00973, Call Sign E170205 (“*Trident/Pebble STA*”).

Telephone Cooperative, a small Alaskan RLEC serving small, primarily Alaska Native communities in northwest Alaska.¹²

This STA will allow Alaska Communications Internet to continue to support a community anchor institution that delivers vital services to its community. It will allow staff and patients to realize the near-term benefits of improved telehealth and telemedicine services – a top policy priority for the Commission – for RHC Funding Year 2019.¹³

Alaska Communications Internet resubmits (and attaches as an Exhibit to this STA) a *pro forma* FCC Form 312 Schedule B and Technical Appendix showing the details of its proposed earth station operations at the Chenega Clinic. Those documents provide relevant information relating to the earth station operating parameters, performance information and radiation hazard analyses. Alaska Communications Internet will continue to operate a 2.4m General Dynamics (the “2.4m”) earth station with a Prodelin antenna, which is on the Commission’s Approved Non-Routine Earth Station Antennas List (“Non-Routine Antenna List”).¹⁴ Moreover, Alaska Communications Internet will operate the earth station below the maximum EIRP spectral density (“ESD”) levels previously approved by the Commission.¹⁵

¹² See Alaska Communications Internet LLC, File No. SES-STA-20190809-01040, Call Sign E170205 (filed Aug. 9, 2019) (“OTZ STA”) (pending). OTZ is a member-owned cooperative serving remote Tribal villages in the Alaska bush. All OTZ Board members are Inupiat Eskimo and the majority of OTZ staff are Alaska native, see <http://otz.net/>.

¹³ *Promoting Telehealth for Low-Income Consumers*, WC Docket No. 18-213, Notice of Inquiry, FCC 18-112, 33 FCC Rcd 7825 (2018) at ¶ 1 (naming increased telehealth opportunities a “top-priority” imperative, with a focus on “connected care anywhere”).

¹⁴ Alaska Communications Internet will operate these earth stations at maximum EIRP spectral density (“ESD”) levels lower than those previously authorized by the Commission. See Approved Non-Routine Earth Station Antennas, <https://www.fcc.gov/approved-non-routine-earth-station-antennas>.

¹⁵ The site will utilize an iDirect modem, which assigns individual time slots for the earth station’s transmissions, and thus there is no potential for aggregation of transmissions resulting in an exceedance of the off-axis ESD levels provided in this application.

II. Discussion

This STA requests seeks authority to continue to operate one remote earth station site in Chenega, 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 the C-band.

A. New Site Location

Although the 2.4m earth station 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 in compliance with the ESD mask set forth in Section 25.218(d) of the Commission's rules.¹⁶

The earth station will be placed on a non-penetrating mount on an existing rooftop in an area inaccessible to the general public. The 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,"¹⁷ and thus falls within the exemptions of Section 1.1306(a)-(b) and Note 1 to that rule.¹⁸ Accordingly, no environmental assessment is required as part of this application because the proposed site is categorically exempt under Section 1.1306 of the Commission's rules, 47 C.F.R. § 1.1306.

¹⁶ See 47 C.F.R. § 25.218(d).

¹⁷ 47 C.F.R. § 1.1307(a)(4).

¹⁸ 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.").

B. Frequency Coordination

Alaska Communications Internet engaged Micronet Communications, Inc. (“Micronet”) to perform frequency coordination in support of this request, which was completed on July 9, 2019. Pursuant to Sections 25.115(c)(2)(ii) and 25.203 of the Commission’s rules,¹⁹ Micronet has conducted a coordination analysis on behalf of Alaska Communications Internet that considers all existing, proposed, and prior coordinated microwave facilities within the contours of the proposed earth station at the Chenega Clinic.

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 its network 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, 2018.²⁰ The *Temporary Freeze Public Notice* does not include a freeze on requests for special temporary authority for short-term operations, and

¹⁹ See 47 C.F.R. §§ 25.115(c)(2)(ii) and 25.203.

²⁰ 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).

thus the instant request is outside the scope of the freeze. Furthermore, grant of this STA will strongly serve the public interest by enabling the delivery of critically needed broadband telecommunications and Internet access services to a community health and treatment clinic, where terrestrial connectivity is mostly unavailable.

In conjunction with its forthcoming request for regular authority to operate the Chenega Clinic as part of the network licensed under its existing *ACI Network License*, Alaska Communications Internet seeks 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 additional remote locations, including the Chenega Clinic for staff and patient communications.²¹

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 October 6, 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* is on file with the Commission, and this STA request will ensure Alaska Communications Internet has appropriate authority during the Commission's ongoing

²¹ See *Silver Bay STA*, Legal Narrative, Section II.C. To the extent that the Commission deems the *Temporary Freeze Public Notice* applicable here, Alaska Communications Internet hereby seeks a waiver of that freeze for the reasons set forth in Section II.C of the *Silver Bay STA*, Legal Narrative which it incorporates here by reference.

review of the *ACI Modification Application*. Pursuant to Commission rules and precedent, Alaska Communications Internet understands that this timely filed extension request will effectively extend its current temporary authority until the Commission acts on the instant request.²²

The operations proposed under this STA will greatly advance the public interest goals of the Commission's RHC support mechanism, as mandated by Sections 254(h)(1)(A) and 254(h)(2)(A) of the Communications Act, 47 U.S.C. §§ 254(h)(1)(A), (h)(2)(A) and implemented in numerous Commission orders. Today, rural healthcare providers, including the Chenega Clinic, routinely use broadband services to support multi-purpose telemedicine carts, remote telestroke, e-ICU, X-ray, CT, MRI, mammography, ultrasound, and DEXA scans, and cost-saving medical videoconferencing services, as well as cloud-based storage of electronic health records. Remote availability of these services has transformed the delivery of health care in rural and remote areas, but they require broadband connectivity to function. Grant of the STA will ensure delivery of the necessary broadband satellite services to support telehealth and telemedicine capabilities at the Chenega Clinic for Funding Year 2019.

Finally, grant of this STA request will allow Alaska Communications Internet to further expand its network, create an additional competitive alternative for customers in the Alaska Bush, an undeserved area with little access to telecommunications connectivity. USAC has recently confirmed that the competitive bidding process underlying the vast majority of RHC

²² 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.

funding requests result in either no bids or one bid.²³ Grant of this STA request will help improve the competitive landscape and the efficiency of the competitive bidding process in the Alaska Bush.

IV. Conclusion

Based on the foregoing, the public interest would be served by a grant of this STA to Alaska Communications Internet to continue to operate one (1) site in Chenega, Alaska, as part of its C-band VSAT network in Alaska for a period of 60 days commencing on October 6, 2019.

²³ *Rural Health Care Universal Service Support Mechanism*, WC Docket No. 02-06, *Ex Parte* Letter from Mark Sweeney, Vice President, Rural Health Care and Shared Services, USAC (filed July 10, 2019), Appendix A at 3 (“In funding year 2017, out of a total of 7,357 Telecom Program funding requests received by the Administrator, 6,699 requests included no bids, and 242 requests included only one bid, from service providers (*i.e.*, 95% of funding requests were submitted with zero bids or one bid).”).