

**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 60-day special temporary authorization (“STA”), commencing on Friday February 14, 2020, to operate a new remote earth station site in Naknek, Alaska, as part of its existing C-band very small aperture terminal (“VSAT”) network.² Alaska Communications Internet will operate the additional site to support 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.³ Alaska Communications Internet seeks to operate the new 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. Alaska Communications Internet also intends to file an application in the near future to modify the *ACI Network License* to operate this site on regular authority as part of its C-band VSAT network.

¹ 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 Alaska Communications Internet currently supports Silver Bay Seafood operations in False Pass under the *ACI Network License*. See Alaska Communications Internet LLC, File Nos. SES-MOD-20190828-01106, Call Sign E170205 (granted Jan 17, 2020).

Grant of this STA request will serve the public interest because it will enable Alaska Communications Internet to deliver critically needed broadband services to support Silver Bay Seafood. 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 in Naknek connected to their families and the larger world. In general, under this STA, Alaska Communications Internet will provide critical telecommunications connectivity in extremely remote areas of the Alaska bush to help continue to bridge the digital divide in some of the nation's most isolated communities.⁴

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.⁵ 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.

⁴ 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.

⁵ 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).

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 meet the critical communications needs of a large group of 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”). Furthermore, the C-band VSAT network provides broadband connectivity to each of the individual schools and the District Office of the Kuspuk School District with support from the Commission’s Schools and Libraries Universal Service Support Mechanism (“E-rate”),⁶ as well as the Arch Priest Nicholas Kompkoff Health Clinic in Chenega Bay, which is operated by Chugachmiut⁷ with support from the Commission’s Rural Health Care Support Mechanism. In addition, Alaska Communications Internet uses this network to serve local fishing and seafood processing businesses, including plants operated by Silver Bay Seafood and Trident Seafoods, as well as Ocean Beauty Seafoods, which is co-owned by the Bristol Bay Economic Development Corporation (“BBEDC”),⁸ as well as economically important mining operations of the Pebble Limited Partnership. Finally, the network permits Alaska Communications to deliver critical telecommunications and broadband middle mile connectivity connecting telephone central offices operated by OTZ Telephone Cooperative, a small rural telephone company in northwest Alaska, as well as to operate a local test site in Anchorage, Alaska.

⁶ See Alaska Communications Internet LLC, File No. SES-MOD-20180626-0142, Call Sign E170205 (granted Aug. 5, 2019) (“*ACI Modification Application*”).

⁷ Chugachmiut is an Alaska Native 501(c)(3) non-profit agency that serves the seven Alaska Native tribes in the Chugach Region,

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.bbcdc.com/>.

In addition to the *ACI Network License*, Alaska Communications Internet has obtained special temporary authority to serve additional points, including (1) to support the Kodiak Area Native Association (“KANA”), a 501(c)(3) non-profit corporation providing health care and community services to the Koniag region of Alaska; (2) to provide middle mile backhaul services to support businesses and residents in the community of Yakutat; (3) to provide telecommunications transport and signaling management for the Bristol Bay Telephone Cooperative (“BBTC”), a provider of local and long-distance telephone, mobile wireless, cable television, and internet access services, including services supported by the FCC’s Lifeline program for low-income customers, in the Bristol Bay Borough of Alaska; and (4) to serve an additional OTZ telephone central office of OTZ.⁹

Alaska Communications Internet 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 new site. Those documents provide relevant information relating to the earth station operating parameters, performance information, radiation hazard analysis and frequency coordination.

II. Discussion

This STA request seeks authority to operate one (1) remote earth station site in Alaska to communicate with the network hub operated by Alaska Communications Internet under the *ACI Network License* via the EUTELSAT 115WB satellite in the C-band.

⁹ See Alaska Communications Internet LLC, File No. SES-STA-20191212-01706, Call Sign E170205 (granted Jan. 14, 2020). Those sites, together with the new Silver Bay Naknek site covered by this request, will be included in a forthcoming application to modify the *ACI Network License*.

A. New Site Location

Alaska Communications Internet seeks to operate the following site as part of its C-band VSAT network in Alaska under this STA:

- Silver Bay – Naknek
General Dynamics Prodelin Model 1241 (2.4-meter)
(geographic coordinates: 58° 44' 41.4" N, 156° 57' 14.4" W)

At the Silver Bay Naknek site, Alaska Communications Internet will operate a 2.4m VSAT earth station that is authorized in the *ACI Network License* for similar fixed C-band operations and is on the Commission's Non-Routine Antenna List.¹⁰ 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 incorporated Schedule B that it will operate the VSAT at maximum ESD levels below those currently authorized in the *ACI Network License* and in compliance with the ESD mask set forth in Section 25.218(d) of the Commission's rules.¹¹

Moreover, the earth station will be mounted on a previously installed 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 they fall 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

¹⁰ See Approved Non-Routine Earth Station Antennas, <https://www.fcc.gov/approved-non-routine-earth-station-antennas>; e.g., Harris Corporation, File No. SES-LIC-20060302-00342, Call Sign E060075.

¹¹ See 47 C.F.R. § 25.218(d).

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.").

because the proposed site is categorically exempt under Section 1.1306 of the Commission's rules, 47 C.F.R. § 1.1306.

B. Frequency Coordination

Alaska Communications Internet engaged Micronet Communications, Inc. ("Micronet") to perform frequency coordination in support of this STA request, which was completed on December 23, 2019. Pursuant to Sections 25.115(c)(2)(ii) and 25.203 of the Commission's rules, 47 C.F.R. §§ 25.115(c)(2)(ii) and 25.203, 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.

As demonstrated in the attached frequency coordination report, 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, 2018.¹⁴ The *Temporary Freeze Public Notice* does

¹⁴ 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).

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 will strongly serve the public interest by enabling critically needed broadband services and operational support for this remote village processing facility in the Alaska Bush, where terrestrial connectivity is mostly unavailable.

In conjunction with its forthcoming request for regular authority to operate at these sites 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 further enable reliable and effective broadband services to additional remote locations, including the subject sites.¹⁵

III. STA Request & 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 to comply with this requirement. 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. Alaska Communications Internet intends to file an application for regular authority following final action on the pending modification application, and this STA request will ensure Alaska Communications Internet has appropriate authority during the

¹⁵ 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.

Commission's review of its forthcoming application for long-term regular authority to serve this site.

Grant of this 60-day STA will strongly serve the public interest by allowing Alaska Communications Internet to provide broadband services to an additional remote Alaskan community that must rely on this service for basic connectivity needs. The proposed site will enable service to an Alaska bush seafood business and its employees, who collectively make up a large portion of the residents of Naknek. Grant of this STA and the forthcoming associated application would thus greatly advance the public interest goals of Commission to expand the availability of affordable broadband services and thereby provide enhanced economic growth and development opportunities for residents of the area.¹⁶

A. Shortcomings of Terrestrial Alternatives

The Silver Bay Naknek site is located in the vicinity of the route taken by the microwave portion of the TERRA system, operated by GCI. The TERRA microwave network represents the only source of terrestrial connectivity in the area, but TERRA is not a viable terrestrial transport alternative for this site. As discussed in more detail in the *ACI Modification Application*, the microwave portion of the TERRA system is congested, oversubscribed, and unreliable. Based on Alaska Communications Internet direct experience, the connections are unstable, and do not consistently deliver the full bandwidth called for in the company's service contract with GCI. Currently, as a result of these service quality issues, Alaska Communications does not, and cannot in good faith, use TERRA connectivity to support primary service to its customers.

¹⁶ See generally *Connect America Fund*, WC Docket No. 10-90, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161, 26 FCC Rcd 17663 (2011) ("*Transformation Order*").

Moreover, the cost of the necessary capacity on TERRA would far exceed that of equivalent satellite bandwidth for this location.

B. Advantages of C-Band Satellite Platform

The advantages of C-band satellite service as compared to other satellite bands, are well-documented before the Commission. In its filings in the Commission’s *Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band* docket, for example, Alaska Communications has detailed the superior performance of C-band at Alaska’s high northerly latitudes, particularly in the poor weather conditions and heavy precipitation that are all too common in the state.¹⁷ As Alaska Communications explained in these filings:

- C-band satellite coverage is plentiful in Alaska, as a result of the large footprint offered by C-band satellite beams. Ku-band and Ka-band satellites often employ spot beams that are targeted to more economically important markets, such as large cities in the lower 48 states or transoceanic transport corridors. In higher frequency bands, a spot beam may be aimed toward Anchorage at best, with any additional coverage merely incidental to that target.¹⁸
- C-band frequencies support superior performance at the low elevation angles required as a result of Alaska’s high northerly latitude, where earth station antennae often must be pointed lower than 10 degrees above the horizon.¹⁹
- C-band frequencies suffer far less attenuation from poor weather conditions (“rain fade”) and other obstructions than services that rely on Ku-, Ka-, or other higher bands. The low elevation angles required in Alaska make satellite service more

¹⁷ See Alaska Communications Internet, LLC, Section 1.65 Letter, File No. SES-MOD-20180626-01472 (filed July 9, 2019), at 1-2; *Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band*, GN Docket No. 18-122, *Ex Parte* Letter from Richard R. Cameron, Counsel to Alaska Communications (filed June 21, 2019), at 1; *Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band*, GN Docket No. 18-122, Comments of Alaska Communications Internet, LLC (filed Oct. 29, 2018), at 8-11 (“Alaska Communications C-Band Comments”).

¹⁸ See Alaska Communications C-Band Comments at 8-9 (*citing* ViaSat, Inc., Call Sign E110015, SES-LIC-20110211-00150, “FCC International Bureau Presentation” (Apr. 11, 2018), at 9 (ViaSat-1 Ka-band spot beam covering Anchorage), *available at*: https://licensing.fcc.gov/myibfs/download.do?attachment_key=910492.

¹⁹ *Id.* at 9.

sensitive to these attenuation issues, even from distant precipitation occurring along the line of sight to the satellite, than locations where the satellite is higher overhead.²⁰

Given the state's extreme northerly latitudes and harsh weather, the C-band thus offers better performance, availability, and coverage than other satellite spectrum bands, making it far superior to other spectrum for serving customers in Alaska.²¹ Over much of the year, dangerous and unpredictable conditions make it difficult at best for Alaska Communications network technicians to reach remote customer sites, making such service reliability a paramount concern.

Reliable communications are particularly important in rural and remote areas of Alaska, including the site that will be served under this request. More broadly, Alaska Communications' customers, which include a broad array of rural health care providers, the Federal Aviation Administration, other federal and state government entities, public safety first responders, Alaska native-owned economic development enterprises, among others, are well aware that C-band services are consistently more stable and perform more reliably than Ku- or Ka-band alternatives. As a result, these customers routinely insist that their services be provisioned using C-band connectivity and will specifically choose C-band services over other options.

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, and help improve the competitive landscape in the Alaska bush and contribute to the regional well-being of the Naknek area.

²⁰ *Id.* at 11.

²¹ See Alaska Communications Internet, LLC Request for Waiver of the Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Stations in the 3.7-4.2 GHz Band, IBFS File No. SES-MOD-20180626-01472, Call Sign: E170205, Order, DA 19-726, 34 FCC Rcd 6429 (Int. Bur. 2019), at ¶ 5.

IV. Conclusion

Based on the foregoing, Alaska Communications Internet requests that the Commission grant authority to Alaska Communications Internet to operate the additional remote site identified herein as part of its C-band VSAT network in Alaska for a period of 60 days, commencing on February 11, 2020.