



File # SES-T/C-20091211-01575  
SES-T/C-20091211-01576  
SAT-T/C-20091211-00144

Call Sign \_\_\_\_\_ Grant Date 07/22/10  
(or other identifier) for duration of proceeding  
Before the

Term Dates  
From 07/22/10 To \_\_\_\_\_  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

Approved: Stephen J. Dwall  
Stephen J. Dwall, Chief, Satellite Policy Branch

\* for purpose of changing  
ex parte status of proceeding  
to "permit-but-disclose" only

In the Matter of Applications for Transfer of )  
Control of MSS and FSS Earth Station Licenses )  
) File No. SES-T/C-20091211-01575  
from New DBSD Satellite Services G.P., )  
Debtor-in-Possession, Transferor, ) File No. SES-T/C-20091211-01576  
) File No. SAT-T/C-20091211-00144  
)  
to New DBSD Satellite Services G.P. )

**REQUEST TO MODIFY  
EX PARTE STATUS TO PERMIT-BUT-DISCLOSE  
OF SPRINT NEXTEL CORPORATION**

Sprint Nextel Corporation ("Sprint Nextel") requests that the International Bureau modify the *ex parte* status of the above-captioned proceeding from "restricted" to "permit-but-disclose," pursuant to 47 C.F.R. § 1.1200(a), so that Sprint Nextel and other interested parties may communicate directly with Commission staff, subject to the disclosure rules for permit-but-disclosure proceedings. In the above-captioned applications (the "Applications"), New DBSD Satellite Services G.P., Debtor-In-Possession ("New DBSD DIP") seeks Commission approval for the transfer of control of the licenses and authorizations held by New DBSD DIP to New DBSD Satellite Services G.P. Sprint Nextel filed a Petition to Deny these Applications, and New DBSD DIP filed an Opposition to this Petition to Deny. Concurrently with this request, Sprint Nextel is filing a Reply to that Opposition.

The proceeding is presently classified under the Commission's *ex parte* rules as "restricted."<sup>1</sup> The Commission's *ex parte* rules provide that "[w]here the public interest so requires in a particular proceeding, the Commission and its staff retain the discretion to modify

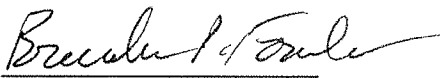
<sup>1</sup> Because applications for transfer of control of satellite licenses and authorizations are not classified as "exempt" or "permit-but-disclose" under the Commission's *ex parte* rules, this proceeding is considered "restricted." See 47 C.F.R. § 1.1208.

the applicable ex parte rules . . . .”<sup>2</sup> The Commission has previously reclassified satellite application proceedings from “restricted” to “permit-but-disclose” upon request of the parties.<sup>3</sup>

Modification of the ex parte rules in this proceeding from “restricted” to “permit-but-disclose” will serve the public interest by allowing discussion with the Commission staff regarding equitable, policy and legal issues raised by the Applications and the associated pleadings. The Applications and related pleadings have also raised a number of points touching upon bankruptcy law issues in which additional discussion with Commission staff would be in the public interest. Sprint Nextel is also amenable to including DBSD representatives in those discussions should the Commission consider such joint meetings to be of assistance in consideration of the Applications.

Respectfully Submitted,

Sprint Nextel Corporation

By: 

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February 3, 2010

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<sup>2</sup> *Id.* at § 1.1200(a).

<sup>3</sup> *See, e.g., In the Matter of TerreStar Networks Inc.*, Request to Modify Ex Parte Status to Permit-But-Disclose, SES-AMD-20070907-01253, SES-AMD-20070723-00978, Grant Stamp of Request to Modify Ex Parte Status to Permit-But-Disclose (May 20, 2008) (finding that designating the application proceeding as “permit-but-disclose” will facilitate resolution of the complex policy issues raised by the application); *In the Matter of New ICO Services G.P.*, Motion to Designate Proceeding as “Permit-But-Disclose,” File No. SAT-MOD-20061109-00137, Grant Stamp of Motion to Designate Proceeding as “Permit-But-Disclose (Nov. 16, 2006).

**CERTIFICATE OF SERVICE**

I, Peter W. Denton, hereby certify that on this 3rd day of February, 2010, copies of the foregoing Request to Modify Ex Parte Status to Permit-But-Disclose of Sprint Nextel Corporation were also served upon the following:

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