

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

In the Matter of	)	
	)	
Stratos Communications, Inc.	)	SES-STA-20060310-00419
	)	
	)	

To: International Bureau

OPPOSITION

Stratos Communications, Inc. ("Stratos") hereby submits this Opposition to Mobile Satellite Ventures Subsidiary LLC's ("MSV's") Consolidated Petition to Deny the above-captioned request for special temporary authority ("STA").¹ While Stratos has already joined with Inmarsat and other Inmarsat distributors in a Joint Opposition to the MSV Petition,² it is filing this additional Opposition to specifically address MSV's claim that there are no "extraordinary circumstances" that justify grant of the Stratos STA.³ As set forth below and in the attached Declaration, "extraordinary circumstances" do exist which warrant grant of the Stratos BGAN STA in advance of April 17, 2006, the commercial availability date of the BGAN service in the United States. Specifically, government "First Responders," including the Coast Guard and National Guard, have directly expressed an interest to Stratos to have access to the BGAN service in advance of the upcoming hurricane season.

¹ See MSV Consolidated Petition to Deny (March 29, 2006) ("MSV Petition").

² See Consolidated Joint Opposition (April 6, 2006).

³ MSV Petition at 1.

As set forth in the attached (Attachment A) Declaration from Robert J. Roe, Stratos' Senior Vice President of Sales, Stratos had an opportunity⁴ on March 23, 2006 to demonstrate the BGAN service to approximately 46 representatives of 23 federal agencies, including the White House Communications Agency, Central Intelligence Agency, Office of the Secretary of Defense, Transportation Security Administration, U.S. Coast Guard, Air Force, Army, Marines, National Guard, Department of Homeland Security, U.S. Customs Service, Environmental Protection Agency, and the National Security Agency.⁵

As stated by Mr. Roe:

In response to the demonstration, many government representatives expressed interest in having access to the BGAN service as soon as possible. These prospective users were particularly interested in the higher data speeds that will be offered by the BGAN service within the United States when compared to existing satellite alternatives, including the satellite offerings of MSV and the current Inmarsat offerings.

In response to these demonstrations the Coast Guard and the National Guard expressed a strong interest in having access to BGAN in advance of the upcoming hurricane season, which starts on June 1st. As government "First Responders," these users are interested in having BGAN now so that they can begin the process of training their users on the BGAN service and terminals prior to hurricane season.⁶

The interest expressed by the Coast Guard and the National Guard make it clear -

- the high-speed services promised by BGAN are needed now so that government "First Responders" can have access to the most up to date communications tools in advance of a disaster, so that they can hit the ground running when the disaster occurs. The Bureau's STA

⁴ The demonstration was provided using an experimental BGAN authorization recently obtained by Inmarsat. *See* Call-sign WD2XWM.

⁵ *See* Roe Declaration (Attachment A) at ¶12.

⁶ *Id.* at ¶¶ 12-13.

standard of "extraordinary circumstances" does not mean, as MSV appears to suggest, that the disaster must occur for extraordinary circumstances to exist. Applying that logic would deprive government First Responders and others of a potentially valuable communications tool in the days immediately following a crisis.

As Chairman Martin has made clear, "[i]f we learned anything from Hurricane Katrina, it is that we cannot rely solely on terrestrial communications. When radio towers are knocked down, satellite communications are, in some instances, the most effective means of communicating."⁷ As stated in the Roe Declaration, there was a noticeable increase in the demand for Inmarsat services in the aftermath of the hurricanes in the Gulf.⁸ However, while Inmarsat services played a vital role in those hurricane recovery efforts, the data transmission speeds of the existing MSS services relied on in the Gulf, and throughout the United States, "do not match the high speed terrestrial networks people have come to expect and rely on."⁹ By granting the Stratos STA, and the underlying Stratos BGAN Application, the Bureau "will ensure that the higher data speeds offered by BGAN will be available when the next natural disaster or terrorist attack takes place, thereby allowing First Responders to have access to the most up to date communications tools available for their recovery efforts."¹⁰

⁷ See Written Statement of Chairman Kevin J. Martin, Hearing on Communications in a Disaster, Committee on Commerce, Science and Transportation, United States Senate (Sept. 22, 2005), at 7.

⁸ Roe Declaration at ¶ 15.

⁹ *Id.*

¹⁰ *Id.*

Respectfully submitted,

Stratos Communications, Inc.

A handwritten signature in black ink, appearing to read 'M. Mamlet', written over a horizontal line.

Alfred M. Mamlet

Marc A. Paul

Steptoe & Johnson LLP

1330 Connecticut Avenue, NW

Washington, D.C. 20036

(202) 429-3000

Counsel to Stratos Communications, Inc.

April 7, 2006

Attachment A

DECLARATION OF ROBERT J. ROE

I, Robert J. Roe, hereby declare as follows:

1. I am Senior Vice President of Sales for Stratos Communications, Inc. ("Stratos").
2. Stratos provides Inmarsat services to a wide range of U.S. military, federal government, state and local government, and private sector end-users in the United States.
3. The U.S. military uses Stratos' Inmarsat services for communications with Navy vessels, special forces operating in remote areas, and for other important military operations.

Some of Stratos' U.S. military customers using existing Inmarsat services include: United States Army, Navy and Air Force.
4. The Federal Government also uses Stratos' Inmarsat services for emergency relief efforts, law enforcement and homeland security. Some of Stratos' federal government customers of existing Inmarsat services include: State Department, Federal Emergency Management Agency ("FEMA"), the U.S. Coast Guard and the Federal Bureau of Investigation.

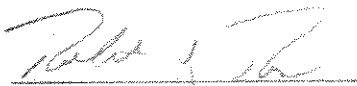
FEMA and other federal agencies relied on Stratos' Inmarsat services during and after Hurricanes Katrina and Rita.
5. Like the Federal Government, state and local governments routinely use existing Inmarsat services provided by Stratos for law enforcement and in order to protect lives and safeguard property. Some of Stratos' state and local government customers of the Inmarsat services include: New York Fire Department, Los Angeles Fire Department and National Guard Units restoring devastated areas affected by the hurricanes in the Gulf region.

6. The private sector, including numerous companies in the oil and gas industry, use Stratos' Inmarsat services to provide critical communications services supporting their business operations in remote areas. Stratos's U.S. private sector customers of the Inmarsat services include: Chevron/Texaco, Global Santa Fe and Edison International (parent company of Southern California Edison). Many of Stratos' petroleum industry customers relied extensively on Inmarsat services to restore business operations following the Gulf hurricanes in 2005.
7. In addition, broadcasters used Stratos' Inmarsat services to provide live video and other communications services from the Persian Gulf during hostilities, and from the U.S. Gulf region following Hurricanes Katrina and Rita.
8. Stratos submitted an application ("the BGAN Application") on August 26, 2005 to the FCC in order to obtain a license to provide the new Inmarsat Broadband Global Area Network ("BGAN") service in connection with a fourth generation Inmarsat satellite ("the Inmarsat 4F2") located at 52.75° W.L. The BGAN Application has now been pending for over seven months.
9. BGAN will provide U.S. customers broadband access to email, local area networks, the Internet, intranet/extranets, video conferencing services, video-on-demand, and voice communications from almost anywhere in the world. BGAN operates at eight times the speed of the fastest mobile services available in the U.S. (Inmarsat GAN), and 100 times faster than MSV's services. BGAN service is currently used by Stratos' customers in Europe, Africa, Asia and the Middle East. Prompt Commission grant of the BGAN Application would allow Stratos' U.S. subscribers to enjoy the same advanced mobile satellite services as the rest of the world, instead of operating at a fraction of the speed.

10. The BGAN service will be ready for commercial deployment in the United States by April 17, 2006.
11. On March 10, 2006, Stratos filed an application ("the BGAN STA") for special temporary authority ("STA") to allow Stratos to provide the Inmarsat BGAN service on a temporary basis by April 17, 2006, in advance of the FCC's action on the underlying BGAN Application.
12. Through an experimental BGAN authorization recently obtained by Inmarsat, Stratos had an opportunity on March 23, 2006 to demonstrate the BGAN service to approximately 46 representatives of 23 federal agencies, including White House Communications Agency, Central Intelligence Agency, Office of the Secretary of Defense, Transportation Security Administration, U.S. Coast Guard, Air Force, Army, Marines, National Guard, Department of Homeland Security, U.S. Customs Service, Environmental Protection Agency, National Security Agency.
13. In response to the demonstration, many government representatives expressed interest in having access to the BGAN service as soon as possible. These prospective users were particularly interested in the higher data speeds that will be offered by the BGAN service within the United States when compared to existing satellite alternatives, including the satellite offerings of MSV and the current Inmarsat offerings.
14. In response to these demonstrations, the Coast Guard and the National Guard expressed a strong interest in having access to BGAN in advance of the upcoming hurricane season, which starts on June 1st. As government "First Responders," these users are interested in having BGAN now so that they can begin the process of training their users on the BGAN service and terminals prior to hurricane season.

15. The necessity of Inmarsat services was clearly demonstrated in the aftermath of Hurricanes Katrina and Rita in the Gulf of Mexico. In response to these devastating natural disasters, Stratos saw a noticeable increase in the demand for the Inmarsat services it distributes. While the existing Inmarsat services played a vital role in those hurricane recovery efforts, the data transmission speeds of those existing Inmarsat services relied on in the Gulf, and throughout the United States, do not match the high speed terrestrial networks people have come to expect and rely on. Prompt grant of the BGAN STA and BGAN Application will ensure that the higher data speeds offered by BGAN will be available when the next natural disaster or terrorist attack takes place, thereby allowing First Responders to have access to the most up to date communications tools available for their recovery efforts.

I, Robert J. Roe, hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information and belief.



Robert J. Roe
Senior Vice President of Sales
Stratos Communications, Inc.

Executed on April 6, 2006.

CERTIFICATE OF SERVICE

I, Marc A. Paul, an attorney with the law firm of Steptoe & Johnson LLP, hereby certify that on this 7th day of April, 2006, I served a true copy of the foregoing Opposition by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

Roderick Porter*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Gardner Foster*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Richard Engelman*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Andrea Kelly*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Robert Nelson*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Scott Kotler*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Cassandra Thomas*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Karl Kensinger*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Howard Griboff*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

John Martin*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Fern Jarmulnek*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Jennifer A. Manner
Vice President, Regulatory Affairs
Mobile Satellite Ventures Subsidiary LLC
1002 Park Ridge Boulevard
Reston, Virginia 20191

Stephen Duall*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Bruce D. Jacobs
David S. Koneczal
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, N.W.
Washington, DC 20037-1128

James Ball*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Diane J. Cornell
Vice President, Government Affairs
Inmarsat, Inc.
1100 Wilson Blvd, Suite 1425
Arlington, VA 22209

John P. Janka
Jeffrey A. Marks
Latham & Watkins LLP
555 Eleventh Street, N.W., Suite 1000
Washington, D.C. 20004

* By electronic mail



Marc A. Paul