

April 30, 2013

DA 13-963

John P. Janka, Esq.
Latham & Watkins LLP
555 Eleventh Street, NW
Suite 1000
Washington, D.C. 20004

Re: ViaSat, Inc.
IBFS File Nos. SAT-LOI-20130319-00034
(Call Sign S2896); SAT-LOI-20130319-00036 (Call
Sign S2898); SAT-LOI-20130319-00037 (Call Sign
S2899); SAT-LOI-20130319-00038 (Call Sign: 2900);
SAT-LOI-20130319-00039 (Call Sign: S2901).

Dear Mr. Janka,

On March 19, 2013, ViaSat, Inc. filed the five above-captioned Letters of Intent. Each application seeks to use the planned ViaSat-2 geostationary orbit satellite, operating under the authority of the United Kingdom, to access the United States market using portions of the Ka-band, including the 18.3-19.3 GHz (space-to-Earth) and 19.7-20.2 GHz (Earth-to-space) frequency bands, at the 69.9° W.L. orbital location. For the reason discussed below, we dismiss all five Letters of Intent without prejudice to re-filing.

On March 15, 2013, the Commission released a Public Notice making the 17.8-20.2 GHz frequency band at the 69° W.L. orbital location, and locations less than two degrees from this location, available for assignment pursuant to the Commission's first-come, first-served licensing process effective 2:00 p.m. EDT on Tuesday, March 19, 2013. The Public Notice specified that applications for this spectrum filed prior to this date and time would be dismissed as premature without prejudice to re-filing.¹

ViaSat filed the five above-captioned Letters of Intent prior to 2:00 EDT on Tuesday, March 19, 2013. For this reason, pursuant to Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, and Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. 0.261, we dismiss all five Letters of Intent as premature without prejudice to re-filing.

Sincerely,

Fern J. Jarmulnek
Acting Chief
Satellite Division, International Bureau

¹ See Policy Branch Information, *Public Notice*, Report No. SAT-00936 (Mar. 15, 2013).