



PUBLIC NOTICE

Federal Communications Commission
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Washington, DC 20554

News Media Information 202-418-0500
Internet: www.fcc.gov

DA 26-681

Released: July 07, 2026

WIRELESS TELECOMMUNICATIONS BUREAU AND SPACE BUREAU SEEK COMMENT ON EMS TECHNOLOGIES' REQUEST FOR EXPEDITED WAIVER OF SECTION 25.109(c), OR IN THE ALTERNATIVE, SECTIONS 87.131, 87.133, 87.137, 87.139(i)(1), AND 87.1401(j)

GN Docket No. 26-165

Comments Due: July 28, 2026

Reply Comments Due: August 7, 2026

By this Public Notice, the Wireless Telecommunications Bureau and the Space Bureau seek comment on the request for waiver filed by EMS Technologies Canada, Ltd. (EMS), a wholly owned subsidiary of Honeywell International, Inc., regarding operation of its Aeronautical Mobile Satellite (Route) Service (AMS(R)S) transceivers, including the current Aspire 400-4 model and future Aspire 400 models.¹ Specifically, EMS seeks an expedited waiver of section 25.109(c), or in the alternative, sections 87.131, 87.133, 87.137, 87.139(i)(1), and 87.141(j), of the Commission's rules governing the licensing of such transceivers,² which support SwiftBroadband-Safety (SB-S) services onboard aircraft.³

EMS asserts that section 25.109(c) was initially adopted in 2013 to govern then-existing technologies licensed under part 87, but that the technical specifications contemplated by the part 87 rules bear no relation to the later-developed broadband SB-S services now in use.⁴ EMS argues that a waiver of section 25.109(c) or the part 87 rules would yield public interest benefits that include allowing continued development and deployment of SB-S services and ensuring that EMS's transceivers can perform effectively in modern satellite communications services and meet the needs of modern aviation.⁵ It further notes that SB-S technologies "are already regulated under Part 25, which addresses frequency stability, output power, and emissions limits to prevent harmful interference."⁶

¹ "EMS Technologies Canada, Ltd. Amended Request for Waiver of 47 C.F.R. § 25.109(c), or in the Alternative, 47 C.F.R. §§ 87.131, 87.133, 87.137, 87.139(i)(1), and 87.141(j), to Allow Equipment Certification of Aeronautical Mobile Satellite Service Transceiver (Aspire 400-4)" (filed Mar 9, 2026) (EMS Amended Waiver Request). EMS initially filed a waiver request on Jan. 19, 2026, but filed the instant Request to "supplant" the January filing to clarify its request that waiver relief apply not only to its current Aspire 400-4 model, but also "to future Aspire 400 models that operate consistent with the technical parameters described herein . . ." EMS Amended Waiver Request at 1, n.2.

² 47 CFR § 25.109(c) (stating that earth stations in the AMS(R)S are subject to licensing under 47 CFR part 87); *id.* §§ 87.131, 87.133, 87.137, 87.139(i)(1), and 87.141(j) (titled, respectively, "Power and emissions," "Frequency stability," "Types of emission," "Emission limitations," and "Modulation requirements").

³ EMS Amended Waiver Request at 1 (stating that the transceiver is "designed for use on aircraft to provide high-speed internet, voice, and video conferencing capabilities in the cockpit, in the cabin, and at the gate.")

⁴ *Id.* at 2.

⁵ *See generally id.*

⁶ *Id.* at 2 (citing 47 CFR part 25, subpart C).

PROCEDURAL MATTERS

Filing Requirements. Interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
 - Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
 - Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

People with Disabilities. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

Ex Parte Rules. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁷ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

⁷ 47 CFR §§ 1.1200 *et seq.*

Additional Information. For further information regarding this Public Notice, please contact Nina Shafran, Attorney Advisor, Mobility Division, Wireless Telecommunications Bureau, at nina.shafran@fcc.gov.

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