



PUBLIC NOTICE

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Report No. TEL-01058NS

Wednesday August 16, 2006

NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

Section 214 Applications (47 C.F.R. § 63.18); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. 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), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

FTMSC US, LLC (FTMSC) requests a declaratory ruling, pursuant to section 310(b)(4) of the Communications Act of 1934, as amended, that it is in the public interest to permit indirect foreign investment of up to 100 percent in FTMSC by MobSat S.A.S. (MobSat), a holding company organized under the laws of France, and its French owners. FTMSC filed its petition in connection with a major amendment to its pending application that requests a blanket license for 20,000 mobile earth terminals to be used in the United States with Inmarsat's Broadband Global Area Network. See SES-AMD-20060804-01315, amending SES-LFS-20051011-01396.

FTMSC is a Delaware limited liability company that currently is indirectly wholly owned by France Telecom S.A. Under the terms of a July 22, 2006, Share Purchase Agreement, all of FTMSC's shares would be acquired by FTMSC US Holding, Inc., a Delaware corporation. All of the shares of FTMSC US Holding, Inc. would be acquired by France Telecom Mobile Satellite Communications, S.A., a French company that, in turn, would be wholly owned by MobSat. According to the petition, MobSat is owned in principal part by two venture capital funds: Apax France VI FCPR (Apax France) (72%) and Amboise Investissement SCA (20%) (Amboise).

Apax France is a venture capital fund organized in France and managed by Apax Partners S.A., a French limited company that is majority owned and controlled by French citizens. Amboise is a venture capital fund organized in France with two general partners. Apax Partners & Cie Gerance II, organized in France, is the managing general partner and is majority owned and controlled by citizens of France, the United Kingdom, and the United States. The second general partner of Amboise is Societe Europeenne Iena SAS, which is organized in France and majority owned by a French citizen. The petition states that none of the investors that would hold indirect interests in FTMSC through their investments in Apax France or Amboise has any control or right to control the management or voting of the shares owned by the two funds.

FTMSC asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the foreign ownership of FTMSC by MobSat and its French shareholders in excess of the 25 percent benchmark of section 310(b)(4) of the Communications Act would be consistent with the public interest.

Amendment

FTMSC US, LLC (FTMSC) amends its application (ITC-214-20051012-00406) to provide Inmarsat Global Area Network (BGAN) services to Mobile Earth Stations located in the United States, using the Inmarsat 4F2 Satellite and its Inmarsat "gateway" land earth stations located in Burun, Netherlands and Fucino, Italy, in accordance with section 63.18(e)(3) of the rules. The application, as initially filed, was placed on Public Notice, Report No. TEL-00958S, rel. Oct. 21, 2005 and was removed from streamlined processing by Public Notice, Report No. TEL-00963S, rel. Nov. 4, 2005 (see also Public Notice, DA 06-1275, rel. June 15, 2006).

FTMSC amends its application to reflect a planned transfer of control of FTMSC. Pursuant to a July 22, 2006, Share Purchase Agreement (Agreement) entered into by FTMSC's indirect parent company, France Telecom S.A., and MobSat S.A.S. (MobSat), a French holding company, all of FTMSC's shares would be acquired by FTMSC US Holding, Inc., a Delaware corporation. All of the shares of FTMSC US Holding, Inc. would be acquired by France Telecom Mobile Satellite Communications, S.A., a French company that, in turn, would be wholly owned by MobSat. According to the amendment, MobSat is owned in principal part by two venture capital funds: Apax France VI FCPR (Apax France) (72%) and Amboise Investissement SCA (20%) (Amboise).

Apax France is a venture capital fund organized in France and managed by Apax Partners S.A., a French limited company that is majority owned and controlled by French citizens. Amboise is a venture capital fund organized in France with two general partners. Apax Partners & Cie Gerance II, organized in France, is the managing general partner and is majority owned and controlled by citizens of France, the United Kingdom, and the United States. The second general partner of Amboise is Societe Europeenne Iena SAS, which is organized in France and majority owned by a French citizen. The application states that none of the investors that would hold indirect interests in FTMSC through their investments in Apax France or Amboise has any control or right to control the management or voting of the shares owned by the two funds.

FTMSC states that, upon consummation of the Agreement, it will no longer be affiliated with any foreign carrier that possesses market power on the foreign end of U.S. international routes and therefore requests classification as non-dominant on all routes pursuant to section 63.10 of the rules.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>