



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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**Report No. TEL-01141NS**

**Friday April 27, 2007**

## **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](mailto: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**

Able Infosat Communications, Inc. (Able Infosat or the "Petitioner") requests that the Commission find permissible its indirect foreign ownership in excess of the 25 percent benchmark set forth in Section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4). Able Infosat holds a Commercial Mobile Radio Service license and filed its petition in connection with an application for consent to an unauthorized pro forma transfer of control. See ULS File No. 0002865620. Able Infosat has not previously disclosed its indirect foreign ownership to the Commission or sought the required ruling under Section 310(b)(4).

Able Infosat, a U.S. corporation, is wholly owned by Infosat Able Holdings, Inc., a U.S.-organized holding company. Infosat Able Holdings, Inc. is a wholly-owned subsidiary of Infosat Communications, Inc. (Infosat Canada), a Canadian corporation. Infosat Canada is wholly owned by Telesat Canada, which, in turn, is wholly owned by BCE Inc. Telesat Canada and BCE Inc. are both organized in Canada.

Petitioner asserts that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the indirect foreign ownership of Able Infosat in excess of 25% is consistent with the public interest.

Interested parties may file comments on or before May 11, 2007, and reply comments on or before May 18, 2007.

**Petition for Declaratory Ruling**

Mobile Satellite Ventures Subsidiary LLC (MSV) and SkyTerra Communications, Inc. (SkyTerra) jointly request a declaratory ruling that it is in the public interest for MSV to have indirect foreign ownership interest in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). MSV is a common carrier radio licensee that has been licensed by the Commission to construct, launch and operate a mobile satellite service (MSS) in the L-Band.

MSV, a Delaware limited liability company, is a direct wholly-owned subsidiary of MSV LP, a Delaware limited partnership. The general partner of MSV LP is Mobile Satellite Ventures G.P. (MSV GP), a Delaware limited partnership. SkyTerra, a publicly-traded corporation organized under the laws of Delaware, holds a 95.08% equity interest in MSV LP on an undiluted basis, and Motient Corporation (Motient) holds a 4.46% equity interest in MSV LP on an undiluted basis. SkyTerra holds 100% of the interests in MSV GP and thus holds all of the voting interests in, and voting control of, MSV.

Petitioners seek a declaratory ruling that it is in the public interest to allow 19.79% indirect foreign equity and 31.11% indirect foreign voting interests in MSV. The "Named SkyTerra Shareholders" (comprised of private equity and investment funds, shareholders of Motient and BCE Inc., and former investors in MSV), will hold indirectly up to and including an aggregate 18.96% foreign equity and 30.34% foreign voting interests in MSV through their interests in SkyTerra. Motient will hold directly up to and including a 0.83% foreign equity and 0.77% foreign voting interest in MSV. Petitioners also request authority for up to and including an additional aggregate 25% indirect equity and/or voting interest in MSV, through SkyTerra and Motient, from foreign individuals and entities without seeking further Commission approval under section 310(b)(4) of the Act, subject to standard conditions imposed in Orders approving indirect foreign ownership under section 310(b)(4).

Petitioners assert that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, IB Docket No. 97-142, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the indirect foreign ownership of MSV in excess of the 25 percent benchmark in section 310(b)(4) of the Act is consistent with the public interest.

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**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>