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Federal Communications Commission
Office of the Secretary



November 2, 2009

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554


Re: File No. SAT-MOD-20070806-00110

Dear Ms. Dortch:

Pursuant to Section 25.143(e) of the Commission's rules,¹ New DBSD Satellite Services G.P. ("DBSD") submits the enclosed annual report on the status of its 2 GHz mobile satellite system.² In accordance with Section 25.143(e), a copy of this filing is being submitted to the Commission's Columbia Operations Center in Columbia, Maryland.

Please direct any questions about this submission to the undersigned.

Respectfully submitted,


Suzanne Hutchings Malloy
Senior Vice President, Regulatory Affairs

cc: Robert Nelson
Karl Kensinger
Columbia Operations Center, Columbia, Maryland

¹ 47 C.F.R. § 25.143(e).

² Pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, DBSD requests a waiver of the October 15th deadline required under Section 25.143(e) to allow the late filing of the enclosed annual report. The filing delay was inadvertent and minimal, and grant of the requested waiver will serve the public interest by allowing the Commission to continue monitoring DBSD's operations with minimum regulatory burden. See *WAT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969); *Northeast Cellular Telephone Co., LP v. FCC*, 897 F.2d 1164 (D.C. Cir. 1990); *The Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band*, Notice of Proposed Rulemaking, 14 FCC Red 4843, ¶ 91 (1999).

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ANNUAL SECTION 25.143(e) REPORT

Pursuant to Section 25.143(e) of the Commission's rules, New ICO Satellite Services G.P. ("ICO") submits the following information, current as of September 30, 2009.

1. Status of satellite construction and anticipated launch dates, including any major problems or delays encountered.

DBSD successfully launched its G1 satellite on April 14, 2008.

2. Listing of any non-scheduled space station outages for more than 30 minutes and the cause or causes of the outage.

None.

3. Detailed description of the utilization made of the in-orbit satellite system (including percentage of time that the system is actually used for U.S. domestic or transborder transmission, the amount of capacity (if any) sold but not in service within U.S. territorial geographic areas, the amount of unused system capacity and, if applicable, the actual number of subscriber minutes originating or terminating in unserved areas within the unserved areas expansion spectrum as a percentage of the actual U.S. system use).

On January 7, 2009, DBSD announced completion of space segment testing, including testing of the innovative ground based beam forming ("GBBF") system.³ DBSD has been conducting "Alpha" trials of its hybrid MSS/ATC system and dual-mode mobile devices using the GMR1 air interface and Digital Video Broadcast – Satellite Handheld ("DVB-SH") standard to test and demonstrate the capabilities of these systems. DBSD also launched efforts with QUALCOMM and others to demonstrate that satellite communication technology could be integrated into a standard cellular chipset, to ensure that the capabilities of its MSS/ATC network can be integrated seamlessly and at low cost into next-generation user devices.

4. Identification of any space stations not available for service or otherwise not performing to specifications, the cause or causes of these difficulties and the date any space station was taken out of service or the malfunction identified.

Not applicable.

³ DBSD had noted the completion of in-orbit testing of its G1 satellite in an earlier report. *See* Letter from Suzanne Hutchings Malloy to Marlene H. Dortch, Secretary, Federal Communications Commission, File No. SAT-MOD-20070806-00110, filed October 15, 2008.