

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the matter of)	
)	
Robert M. Franklin, Transferor	)	IB Docket No. 08-143
	)	DA 08-1659
Inmarsat plc, Transferee)	
	)	FCC File Nos.:
Applications for Consent to Transfer	)	ITC-T/C-20080618-00276
Control of Stratos Global Corporation and	)	ITC-T/C-20080618-00275
Its Subsidiaries from an Irrevocable Trust to	)	SES-T/C-20080618-00818
Inmarsat plc	)	SES-T/C-20080618-00821
	)	SES-T/C-20080618-00820
	)	SES-T/C-20080618-00819
	)	0003453455
	)	ISP-PDR-20080618-00013

JOINT OPPOSITION TO MOTION FOR EXTENSION OF TIME

Inmarsat plc (“Inmarsat”) and Stratos Global Corporation (“Stratos”) oppose the Motion for Extension of Time of Vizada, Inc. and VIZADA Services LLC (together, “Vizada”) filed in these proceedings. On August 25, 2008, Inmarsat and Stratos filed oppositions to Vizada’s petition to deny the applications seeking consent to transfer control of Stratos to Inmarsat. In its motion, Vizada requests that the Commission extend the time for filing its reply from eight calendar days, as specified in a Public Notice,¹ to 21 calendar days, due to “previously-scheduled vacations,” the “Labor Day holiday weekend,” Vizada’s two-day “annual company planning meeting,” and the limited availability of Vizada personnel to “consult” on the reply during the allotted eight-day period.² As demonstrated below, such an extension is unwarranted.

¹ Public Notice, *Robert M. Franklin, Trustee, and Inmarsat plc seek FCC Consent to Transfer Control of Stratos Global Corporation and Its Subsidiaries from an Irrevocable Trust to Inmarsat plc*, IB Docket No. 08-143, DA 08-1669 (rel. Jul. 14, 2008).

² Vizada’s Motion for Extension of Time (“Vizada Motion”) at 2.

Vizada's request for almost two extra weeks simply is not reasonable. Vizada already has indicated that it seeks to delay this proceeding in order to gain leverage in its current contractual negotiations with Inmarsat.³ Granting Vizada's request for this extraordinarily long extension would play into that strategy of delay, to the detriment of Inmarsat and Stratos.⁴

The Commission's longstanding rule and policy is that "extensions of time shall not be routinely granted."⁵ Vizada provides no valid justification for making an exception here. Indeed, the Commission denies motions for extension of time unless the moving party can demonstrate special circumstances not present here.⁶

Vizada's request is far from routine. Vizada asks for over two-and-a-half times the eight-day reply period established in the Public Notice, and nearly twice as long as Inmarsat and Stratos had to oppose Vizada's 76-page petition to deny. In fact, the 13 *extra* days Vizada requests is one day more than the *total* time Inmarsat and Stratos had to respond to Vizada's petition to deny.

The circumstances Vizada presents were not unanticipated, beyond Vizada's control, or based on new information. Vizada had ample notice of the September 2, 2008 due date.⁷ The Commission established the pleading cycle dates by Public Notice on July 14, 2008, *seven weeks before* the due date for Vizada's reply. Moreover, Vizada filed its motion even before seeing the Inmarsat and Stratos oppositions, which, in any event, only responded to the

³ Vizada Petition to Deny, IB Docket No. 08-143, at 12 (filed Aug. 13, 2008).

⁴ Cf. Vizada Motion at 2 (claiming no prejudice by granting the requested extension).

⁵ 47 C.F.R. § 1.46(a).

⁶ See *Petition of Qwest Corporation for Forbearance*, 20 FCC Rcd 39 (2005) (denying requested 15-day extension based on "holiday and vacation schedules typical for this time of year") ("*Qwest*"); see also *M2Z Networks, Inc.*, DA 07-1569 (rel. Mar. 30, 2007) (denying requested three-day extension); *Robert M. Gurss*, 19 FCC Rcd 8105 (2004) (denying requested one-week extension for reply comments).

⁷ See *Qwest*, 20 FCC Rcd at 39.

arguments in Vizada's petition to deny. There is no reason Vizada cannot prepare a "meaningful response"⁸ in the time allotted.

Nor is there anything unique about Vizada's circumstances. Inmarsat and Stratos faced the very type of logistical issues that Vizada proffers as its basis for extension request, with (i) key Inmarsat and Stratos executives and advisors having long-planned vacations scheduled during the 12-day opposition period that just ended, and (ii) a U.K. public holiday falling on the Monday before the due date for their oppositions.

The cases that Vizada cites where vacations or meetings served as a basis for an extension of time are wholly distinguishable. None involves an extension in an adjudicatory proceeding in which the extension request was opposed, or where the moving party was on record as seeking to delay the proceeding.⁹ The one rulemaking proceeding Vizada cites in which the Commission granted an opposed motion for extension of time due to vacation schedules involved initial comments to extend a 30-day timeline by only 10 days.¹⁰ That request for a mere one-third more time for initial comments in a rulemaking proceeding pales in comparison to what Vizada seeks here.¹¹

For these reasons, no extension is warranted. Vacations in the month of August simply are not a unique circumstance and should have been managed by Vizada, particularly in light of the July 14, 2008 Public Notice establishing the September 2, 2008 due date.

⁸ Vizada Motion at 2.

⁹ See *Leased Commercial Access*, 22 FCC Rcd 16103 (2007); *Pappas Telecasting Cos.*, 19 FCC Rcd 22694 (2004); *New England Telephone and Telegraph Co. & New York Telephone Co.*, 11 FCC Rcd 8144 (1996).

¹⁰ *Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission's Rules*, 10 FCC Rcd 10917 (1995).

¹¹ *Id.* Similarly, the lengthy extension of time granted in the Verizon-Rural Cellular merger case was granted for substantive reasons, having nothing to do with vacation schedules. *Cellco Partnership d/b/a Verizon Wireless and Rural Cellular Corporation*, 22 FCC Rcd 19799 (2007). That merger was expected to involve, and in fact ultimately required, widespread divestitures not at issue here. *Cellco Partnership d/b/a Verizon Wireless and Rural Cellular Corp.*, WT Docket No. 07-208, FCC 08-181 (rel. Aug. 1, 2008).

Inmarsat and Stratos therefore urge the Commission to promptly deny Vizada's motion, so that the absence of timely action does not inadvertently provide Vizada with more time.¹² In no event should the Commission grant the requested 15-day extension of time, which would provide Vizada far more time than Inmarsat and Stratos had to prepare their oppositions, and also would facilitate Vizada's strategy of delay.

Respectfully submitted,

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August 27, 2007

¹² 47 C.F.R. § 1.46(b) (“If a timely motion is denied, the responses and comments, replies thereto, or other filings need not be filed until 2 business days after the Commission acts on the motion.”).

CERTIFICATE OF SERVICE

I, Jeffrey A. Marks, hereby certify that on this 27th day of August 2008, I caused to be served a true copy of the foregoing Joint Opposition by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

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