



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 19-995**

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## **WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON IRIDIUM COMMUNICATIONS INC. PETITION FOR WAIVER TO PERMIT USE OF IRIDIUM SERVICE TO MEET GMDSS REQUIREMENTS**

**WT Docket No. 19-280**

**Comment Date: October 24, 2019**

**Reply Comment Date: November 4, 2019**

By this *Public Notice*, we seek comment on a request by Iridium Communications Inc. (Iridium) for waiver of several part 80 rules to permit vessels to select Iridium for the provision of Global Maritime Distress and Safety System (GMDSS) mobile satellite service.<sup>1</sup>

The GMDSS is “[a]n International Maritime Organization (IMO) worldwide coordinated maritime distress system designed to provide the rapid transfer of distress messages from vessels in distress to units best suited for giving or coordinating assistance.”<sup>2</sup> Until recently, Inmarsat was the sole mobile satellite service recognized by the IMO to provide GMDSS mobile satellite service, and our rules specifically require certain vessels to carry an Inmarsat ship earth station.<sup>3</sup> The IMO has now, however, recognized Iridium as a second provider of maritime distress and safety communications within the GMDSS, and amendments to the International Convention for the Safety of Life at Sea allowing Iridium equipment to be carried in satisfaction of the GMDSS requirements will go into effect on January 1, 2020.<sup>4</sup> Iridium expects to make GMDSS terminals available to vessel operators in early 2020.<sup>5</sup>

Iridium seeks waivers of part 80 rules that require or reference the use of equipment that communicates with Inmarsat satellites, specify the frequency bands in which Inmarsat satellites operate, and limit GMDSS mobile satellite operations to areas covered by Inmarsat.<sup>6</sup> Specifically, it seeks a limited waiver to permit vessels to select Iridium for the provision of GMDSS mobile satellite service,

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<sup>1</sup> Petition for Waiver of Certain Part 80 Rules Concerning Iridium’s Provision of GMDSS (filed Sept. 6, 2019) (Petition).

<sup>2</sup> 47 CFR § 80.5.

<sup>3</sup> *Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum for Mobile-Satellite Services in the 1530-1544 MHz and 1626.5-1645.5 MHz Bands*, Notice of Proposed Rule Making, 5 FCC Rcd 1255, 1258, para. 27 (1990); *Robert M. Franklin, Transferor; Inmarsat, PLC, Transferee*, Memorandum Opinion and Order and Declaratory Ruling, 24 FCC Rcd 449, 466, para. 40, n.110 (IB 2009).

<sup>4</sup> See Recognition of Maritime Mobile Satellite Services Provided by Iridium Satellite LLC, IMO Maritime Safety Committee Res. MSC.451(99) (adopted May 24, 2018).

<sup>5</sup> See Petition at 5.

<sup>6</sup> See Petition at 9-14; 47 CFR §§ 80.93, 80.102, 80.310, 80.335, 80.409, 80.905, 80.1069, 80.1077, 80.1085, 80.1087, 80.1089, 80.1091, 80.1093, 80.1101, 80.1105, 80.1123.

pending resolution of a petition for rulemaking proposing to amend part 80 to replace the references to Inmarsat with provisions permitting vessels to obtain GMDSS mobile satellite service from any IMO-recognized provider.<sup>7</sup>

Iridium asserts that grant of the requested waivers would serve the public interest “by bringing additional competition to the GMDSS and maritime marketplace and by providing ships with access to new safety of life services—including in areas where no satellite-based GMDSS exists today.”<sup>8</sup> Iridium adds that the waivers would not undermine the part 80 rules but would be consistent with their purpose to promote maritime safety.<sup>9</sup>

We seek comment on the waiver request.

### Procedural Matters

Interested parties may file comments and reply comments in response to the waiver request on or before the dates listed on the first page of this *Public Notice*. All pleadings must reference the docket number appearing on the first page of this *Public Notice*. Parties may file comments using (1) the Commission’s Electronic Comment Filing System (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies.<sup>10</sup>

- Electronic Filers: File comments electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, “get form.” A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Send filings by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. Address filings to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- Deliver hand-delivered or messenger-delivered paper filings to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554 between 8:00 AM and 7:00 PM. Use rubber bands or fasteners to hold deliveries together. Dispose of all envelopes before entering the building.
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9050 Junction Drive, Annapolis Junction, MD 20701.

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<sup>7</sup> *Id.* at 6-7. See Petition of the Radio Technical Commission for Maritime Services for Rulemaking, RM-11765 (filed Feb. 16, 2016). Commenters addressing the issue in response to the *Public Notice* seeking comment on the rulemaking petition support the proposal. See *Wireless Telecommunications Bureau Seeks Comment on Radio Technical Commission for Maritime Services Petition for Rulemaking to Update Part 80 of the Commission’s Rules*, Public Notice, 31 FCC Rcd 3554 (WTB MD 2016). That proceeding remains pending.

<sup>8</sup> See Petition at 7.

<sup>9</sup> See *id.* at 7-8.

<sup>10</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322 (1998).

- Send U.S. Postal Service first-class, Express, and Priority mail to 445 12<sup>th</sup> St., SW, Washington DC 20554.

The request, and comments and reply comments filed in response to this *Public Notice* are available for viewing via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number appearing on the first page of this *Public Notice*. The documents also will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554. Reference Information Center business hours are available at <https://www.fcc.gov/general/fcc-reference-information-center>.

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov).

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>11</sup> 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.

For further information, contact Mr. Jeff Tobias of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-1617, [jeff.tobias@fcc.gov](mailto:jeff.tobias@fcc.gov).

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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<sup>11</sup> See 47 CFR §§ 1.1200(a), 1.1206.