



March 9, 2018

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: ***Ex Parte* Presentation**
OneWeb Petition for Reconsideration, IB Docket No. 16-408

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation (“EchoStar”) and Intelsat Corporation (“Intelsat”) submit this written *ex parte* presentation in support of the Petition for Reconsideration of the Commission’s Report and Order filed by WorldVu Satellites Limited (“OneWeb”) in the above-referenced proceeding.¹

The OneWeb Petition seeks reconsideration of the Commission’s current spectrum sharing rule that mandates band-splitting during in-line events when two or more non-geostationary orbit (“NGSO”), fixed-satellite service (“FSS”) systems are unable to coordinate their respective systems.² The OneWeb Petition explains that the Commission’s band-splitting rule reduces spectrum certainty, increases the risk of spectrum warehousing, and compromises the ability of

¹ Petition for Reconsideration of WorldVu Satellites Limited, *Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters*, IB Docket No. 16-408 (filed Jan. 17, 2018) (the “*OneWeb Petition*”); *see also* *Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters*, Report & Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 7809 (2017) (the “*NGSO R&O*”).

² *OneWeb Petition* at 3.

NGSO FSS systems to deploy critically needed broadband connectivity to unserved and underserved areas.³

EchoStar and Intelsat support the OneWeb Petition and agree the Commission should harmonize its rules with the international framework and adopt a spectrum sharing rule based on the ITU's coordination regime. As operators of geostationary-orbit satellite fleets, EchoStar and Intelsat understand the importance of spectrum certainty and a stable operating environment. Unfortunately, the *NGSO R&O* facilitates a sharing dynamic that could allow spectrum warehousing and lead to anticompetitive behavior.

In order to prevent these unintended and undesirable outcomes, the OneWeb Petition proposes to align the Commission's spectrum sharing rule with the rest of the world, while also providing sufficient access to spectrum to ensure NGSO FSS systems are equipped to provide the kind of transformative connectivity that will close the digital divide. Because the public interest is best served by fostering an NGSO regulatory environment that encourages deployment by reducing uncertainty, the Commission should grant the OneWeb Petition.

Please do not hesitate to contact the undersigned with any questions.

³ *Id.* at 6-7.

Very truly yours,

/s/ Jennifer A. Manner

Jennifer A. Manner
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EchoStar Satellite Operating Corporation

/s/ Susan H. Crandall

Susan H. Crandall
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Intelsat Corporation

cc: Jose Albuquerque