

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Aeronet Global Communications Inc.’s)	RM-11824
Petition for Rulemaking to Amend)	
The Commission’s Allocation and Service Rules)	
for the 71-76 GHz, 81-86 GHz, and 92-95 GHz)	
Bands to Authorize Aviation Scheduled)	
Dynamic Datalinks)	
)	
Aeronet Global Communications Inc.’s)	RM-11825
Petition for Rulemaking to Amend)	
The Commission’s Allocation and Service Rules)	
for the 71-76 GHz, 81-86 GHz, and 92-95 GHz)	
Bands to Authorize Maritime Scheduled)	
Dynamic Datalinks)	

COMMENTS OF WORLDVU SATELLITES LIMITED

WorldVu Satellites Limited (“OneWeb”) respectfully submits these comments to the Federal Communications Commission (the “Commission”) regarding Aeronet Global Communications Inc.’s (“Aeronet”) Petition for Rulemaking in the above-captioned proceeding.¹

OneWeb agrees with Aeronet that use of the high-frequency 70/80/90 GHz spectrum bands (the “E-band”) has the potential to facilitate competition in the delivery of next-generation connectivity services to U.S. consumers. OneWeb currently has a pending market access application proposing to provide innovative, satellite-based connectivity services via the E-

¹ OneWeb acknowledges that Aeronet filed two petitions for rulemaking seeking rule changes necessary to facilitate maritime and aviation links utilizing the E-band. *See* Petition for Rulemaking of Aeronet Global Communications Inc., RM-11824 (Feb. 6, 2019); Petition for Rulemaking of Aeronet Global Communications Inc., RM-11825 (Feb. 6, 2019). The instant submission addresses issues applicable to both petitions and for convenience OneWeb refers to Aeronet’s submissions as the “Aeronet Petition.”

band.² At this time, OneWeb does not take a position on the merits of the Aeronet Petition. However, OneWeb respectfully requests the Commission ensure that any proceeding resulting from the Petition neither infringes upon the use of fixed-satellite service (“FSS”) in the E-band, nor removes the primary FSS allocation in the E-band.

I. ANY COMMISSION RULEMAKING INITIATED IN RESPONSE TO THE PETITION SHOULD NOT INFRINGE UPON FSS ACCESS TO THE E-BAND

Aeronet asks the Commission to initiate a rulemaking that would authorize the use of aviation and maritime scheduled dynamic datalinks in the E-band.³ Currently, the 70/80 GHz bands are allocated on a primary basis for FSS.⁴ While Aeronet emphasizes the Commission’s interest in “preserving flexibility” to encourage innovative use of the E-band,⁵ OneWeb notes that the Commission has considered authorization of “future operations of satellite and satellite earth stations” in the E-band as far back as 2003.⁶ In addition, the Commission recently declined to alter the current E-band framework, including the FSS allocation.⁷

OneWeb agrees with Aeronet that the E-band is well-suited for innovative use: in fact, the OneWeb Amendment Application “constitutes precisely the kind of future innovation that

² See WorldVu Satellites Limited, IBFS File No. SAT-AMD-20180104-00004 (filed Jan. 4, 2018) (“OneWeb Amendment Application”).

³ See generally Aeronet Petition.

⁴ 47 C.F.R. § 2.106.

⁵ See Aeronet Petition (RM-11824) at 25.

⁶ *Allocations and Service Rules for the 71-76 GHz, 81-86 GHz and 92-95 GHz Bands*, Report and Order, 18 FCC Rcd 23318, 23344 ¶ 63 (2003).

⁷ See *Use of Spectrum Bands above 24 GHz for Mobile Radio Services*, Second Report and Order, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, and Memorandum Opinion and Order, 32 FCC Rcd 10988, 11054 ¶ 200 (2017) (“Second R&O”).

aligns with the Commission’s goals for the 70/80 GHz band.”⁸ However, innovative use of the E-band should not come at the expense of FSS operators. While the Aeronet Petition discusses the risk of interference between its proposed system and mobile terrestrial and Federal FSS operations, it does not address any potential interference issues with proposed commercial FSS operators like OneWeb.

If the Commission initiates a rulemaking in response to the Aeronet Petition, it should take two steps to ensure that such proceeding does not infringe upon potential use of the E-band by FSS operators. *First*, the Commission should consider proposing technical rules ensuring any proposed new service allocations do not cause interference to planned FSS operations. To do otherwise would be to jeopardize the substantial investments FSS operators have made in their satellite networks and unnecessarily foreclose access to a spectrum band currently allocated on a primary basis for FSS operations. *Second*, OneWeb respectfully requests that any such rulemaking confirm the Commission’s continuing commitment to the primary FSS allocation in the E-band. OneWeb notes Aeronet “supports the existing framework for the E-Band and is not requesting changes to the structure of the rules.”⁹ Multiple NGSO FSS systems have indicated an interest in preserving the primary FSS allocation.¹⁰ Therefore, it is unnecessary for the Commission to alter the current E-band framework, even if it determines action on the Aeronet Petition is in the public interest.

⁸ OneWeb Amendment Application, Legal Narrative at 14.

⁹ See Aeronet Petition (RM-11824) at 4.

¹⁰ See, e.g. Comments of SES Americom, Inc. and O3b Limited, RM-11809 at 2 (filed Jul. 12, 2018).

II. CONCLUSION

Any rulemaking initiated in response to the Aeronet Petition should preserve the primary FSS allocation in the E-band and should not infringe upon use of the E-band by FSS. The Commission should act consistently with its long-standing E-band allocation rules and continue to facilitate a technology-neutral regulatory framework that will protect the ability of FSS systems like OneWeb to offer “future innovations” via the E-band.¹¹

Respectfully submitted,

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¹¹ Second R&O at ¶ 207.

CERTIFICATE OF SERVICE

I, Samuel Swoyer, hereby certify that on this 11th day of March 2019, a copy of the foregoing Comments of WorldVu Satellites Limited is being sent via first class, U.S. Mail, postage paid, to the following:

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