

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Further Streamlining Part 25 Rule Governing)	IB Docket No. 18-314
Satellite Services)	

To: Federal Communications Commission

COMMENTS OF IRIDIUM COMMUNICATIONS INC.

I. INTRODUCTION

Iridium Communications Inc. (“Iridium”) hereby responds to the Federal Communications Commission’s (“Commission’s” or “FCC’s”) notice of proposed rulemaking (“NPRM”) to further streamline Part 25 rules for satellite services.¹ As a leading provider of mobile-satellite service (“MSS”) communications and a U.S. licensee, Iridium has a significant interest in this proceeding. Iridium is the only commercial provider of communications services offering true global coverage, connecting people, organizations and assets to and from anywhere, in real time. In February 2019, Iridium completed the upgrade of its first-generation constellation with Iridium® NEXT satellites, which supports higher data speeds for new products, including the recently introduced Iridium CertusSM broadband service.² As of

¹ *Further Streamlining Part 25 Rules Governing Satellite Services*, Notice of Proposed Rulemaking, FCC 18-165, IB Docket No. 18-314 (Nov. 15, 2018) (“NPRM”).

² Iridium, Annual Report (Form 10-K) at 2 (Feb. 28, 2018) (“Iridium 2018 Annual Report”), https://www.sec.gov/Archives/edgar/data/1418819/000141881919000005/irdm_12312018x10k.htm. See also Press Release, Iridium, Iridium Declares Victory; \$3 Billion Satellite Constellation Upgrade Complete (Feb. 6, 2019), <http://investor.iridium.com/2019-02-06-Iridium-Declares-Victory-3-Billion-Satellite-Constellation-Upgrade-Complete>; Press Release, Iridium, Iridium Certus(SM) Goes Live;

December 31, 2018, Iridium had approximately 1,121,000 billable subscribers worldwide, representing a 16% increase compared to December 31, 2017.³

The Commission adopted this NPRM in response to comments filed on its 2016 Biennial Review Public Notice, including comments filed by Iridium.⁴ Iridium appreciates the Commission's continued efforts to streamline Part 25 licensing procedures and urges the Commission to: (i) revise Section 25.118(a) to permit earth station operators to make certain discrete changes to their earth station operations without notifying the Commission; (ii) eliminate the annual reporting requirement in Section 25.170; and (iii) adopt a formal process for applicants to correct deficiencies in their applications.

II. DISCUSSION

A. The Commission Should Adopt its Proposal to Allow Certain Earth Station Modifications Without Notification

The Commission should adopt its proposed changes to Section 25.118 of the Commission's rules to allow earth station operators to make certain modifications to their earth station authorizations without notification to the Commission.⁵ Iridium previously proposed these changes to Section 25.118 and urges the Commission to promptly adopt this common sense proposal. Specifically, the Commission should permit earth station operators to make discrete changes to their earth station operations without notification to the Commission if the changes do not involve: (1) an increase in EIRP or EIRP density (either main lobe or off-axis); (2) additional

World's First Truly Global Broadband Service (Jan. 16, 2019), <http://investor.iridium.com/2019-01-16-Iridium-Certus-SM-Goes-Live-Worlds-First-Truly-Global-Broadband-Service>.

³ Iridium 2018 Annual Report at 3.

⁴ See *Commission Seeks Public Comment in 2016 Biennial Review of Telecommunications Regulations*, Public Notice, 31 FCC Rcd 12166 (2016); Iridium Communications Inc. Notice of *ex parte*, IB Docket No. 16-131 (filed Sept. 17, 2018) ("September 17 *ex parte*").

⁵ NPRM at ¶ 22-23.

operating frequencies; (3) a change in polarization; (4) an increase in antenna height; (5) antenna repointing beyond the coordinated range; or (6) a change from the originally authorized coordinates of more than 1 second in latitude or longitude for stations operating in frequency bands shared with terrestrial systems or more than 10 seconds of latitude or longitude for stations operating in frequency bands not shared with terrestrial systems.⁶ Consistent with the Commission's proposal, these criteria should be moved from Section 25.118(a)(4) and included in revised Section 25.118(b).⁷ The Commission also should clarify that adding new transceiver/antenna combinations to blanket earth station authorizations does not require prior Commission notification if they satisfy these criteria. If adopted, the proposed rule change would continue to serve the public interest by facilitating more efficient spectrum use while also reducing the regulatory burden on earth station operators and Commission staff alike.

As described above and noted in earlier filings, the discrete changes that would be permitted without prior authorization inherently would not create an interference risk or otherwise impact other operators.⁸ Because these modifications will by their nature not alter the interference environment, the information contained in the initial blanket earth station application and license would remain reliable. It is therefore not necessary to require notification for the changes covered by the Commission's proposal.

B. The Commission Should Adopt its Proposal to Eliminate the Section 25.170 Annual Reporting Requirement

The Commission should eliminate the annual reporting requirement in Section 25.170 for satellite operators, but should retain the requirement that operators annually confirm the accuracy

⁶ *Id.* The Commission's proposal reflects Iridium's proposal in response to the Commission's 2016 Biennial Public Notice. *See* September 17 *ex parte*.

⁷ NPRM, Appendix A.

⁸ September 17 *ex parte*.

of their point of contact to resolve interference disputes.⁹ The Commission notes that these reports are rarely used internally by staff.¹⁰ In Iridium's experience, the annual reports provide little useful information, and are an unnecessary regulatory burden.

Given that the industry and the Commission rarely use these reports, there is no reason to maintain this rule, with one exception. Unlike most information in the annual reports, the requirement that operators annually confirm their point of contact information should be maintained. When interference issues arise, time is of the essence and having current contact information is critical. Satellite operators often have access to up-to-date contact information for other operators notwithstanding the Commission's reporting requirement. However, the emergence of new entrants into the satellite market could create situations where a point of contact is not known and the contact on file with the FCC is the only information readily available in the event of an interference event. As such, operators should still be required to confirm contact information, which will serve as a useful reminder that such information must remain current. Consistent with the Commission's proposal, the requirement to update contact information on an annual basis should be moved to Section 25.171 of the rules.

C. The Commission Should Adopt a Formal Procedure for Applicants to Correct Deficiencies in Applications Prior to Dismissal

Iridium supports the Commission's proposal to modify the requirement that applications be substantially complete when filed or be returned to the filer.¹¹ In lieu of the existing rule, applicants would be notified by the Commission of any errors or omissions in their applications

⁹ NPRM at ¶17.

¹⁰ *Id.*

¹¹ *Id.* at ¶¶20-21. *See also* 47 C.F.R. § 25.112.

and be given 60 days to correct those errors prior to dismissal.¹² This proposal would codify the International Bureau's current practice of seeking additional information from applicants instead of returning the application to the filer, and will prevent applications from being dismissed unnecessarily for minor mistakes.

III. CONCLUSION

Outdated rules continue to impose unnecessary regulatory burdens on satellite operators. The Commission should continue its important efforts to streamline its Part 25 rules. Specifically, the Commission should: (i) revise Section 25.118(a) to permit earth station operators to make certain discrete changes to their earth station operations without notifying the Commission; (ii) eliminate all but one element of the annual reporting requirement in Section 25.170; and (iii) adopt a formal process for applicants to correct deficiencies in their applications.

Respectfully submitted,

Iridium Communications Inc.

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¹² NPRM at ¶¶20-21.