

June 9, 2017

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *Ex Parte Letter*
In the Matter of Revision or Elimination of Rules Under the Regulatory
Flexibility Act, 5 U.S.C. § 610, CB Docket No. BO 16-251

Dear Ms. Dortch:

Iridium Communications Inc. (“Iridium”) hereby submits this letter in response to comments filed pursuant to the Federal Communications Commission’s Public Notice (“Notice”) seeking comment on potential revisions to rules adopted in calendar years 2001-2004 and how to minimize any significant impact of those rules on small entities.¹ The Notice seeks comment on whether such rules should be amended, rescinded, or retained without change, consistent with the stated objective of Section 610 of the Regulatory Flexibility Act of 1930, as amended, (“RFA”), which is to “minimize any significant economic impact of such rules upon a substantial number of small entities.”²

Consistent with its earlier filing in response to the Notice, Iridium reiterates its request that the Commission broaden its assessment of what types of blanket earth station modification applications are acceptable under Section 25.118(a).³ Specifically, blanket earth station licensees should be permitted to add a new product to an existing authorization without filing a modification application if it meets the standards specified in Section 25.118(a)(4).⁴ The Commission already permits terrestrial providers to add new products without filing a modification application.

¹ *FCC Seeks Comment Regarding Possible Revision or Elimination of Rules Under the Regulatory Flexibility Act, 5 U.S.C. Section 610*, Public Notice, 31 FCC Rcd 13053 (2016), published in 82 Fed. Reg. 9281 (Feb. 3, 2017).

² 5 U.S.C. § 610(a).

³ Comments of Iridium Communications, Inc., CB Docket No. BO 16-251, at 2-3 (filed May 5, 2017). Unless otherwise noted, references in this letter to parties’ “Comment” refer to comments in this proceeding filed on or about May 5, 2017.

⁴ Iridium Comments at 2-3.

Marlene H. Dortch

June 9, 2017

Page 2

Iridium also supports the following rule changes requested by EchoStar that impact non-geostationary satellite operations (“NGSO”). In a rapidly evolving satellite landscape, eliminating or revising unnecessary regulatory requirements imposed on satellite providers will decrease regulatory and economic burdens and facilitate innovation and investment. Specifically, Iridium supports EchoStar’s proposal to eliminate Sections 25.110(e) and 25.112(a)(3), (b) introductory text.⁵ Eliminating the requirement that applicants for a Part 25 authorization print the filed application, obtain the proper signatures, and keep the original in its files is unnecessary, especially given that the Commission’s electronic filing rules state that the electronic record of the application filed in IBFS is the official record.⁶

When possible, the Commission should strive to have rules that provide regulatory parity between terrestrial and satellite services. Yet, satellite operators remain subject to certain rules that the Commission has eliminated for terrestrial operations. Iridium supports the EchoStar/Hughes request to delete rule provisions 25.112(a)(3) and the introductory text of subsection (b) so that the Commission will consider, rather than dismiss, applications for satellite services in a frequency band that is not yet allocated for the requested satellite operations.⁷ With the World Radiocommunication Conference taking place only once every two years, revising international frequency allocations can take a long time. Requiring satellite companies to wait for new international allocations stifles satellite industry innovation. Rather, the Commission should allow applications for operations that are not yet allocated for satellite services to be filed but only granted upon an appropriate showing that the proposed operations will not cause interference to existing satellite services. Terrestrial wireless operators are already permitted to do this under the Commission’s rules.

Iridium also supports EchoStar’s proposal to revise Section 25.114 of the Commission’s rules to allow satellite operators to submit a streamlined application for space station and earth station authorizations that will operate within the same network.⁸ The technical parameters for earth stations and space stations are often determined at the same time during a satellite design process. Therefore, allowing applicants to apply concurrently for both space station and earth station operations of the same network better tracks the satellite network design process. To further ease administrative burdens, the applicant should be permitted to seek gateway and blanket earth station authorizations for those earth stations communicating with the proposed NGSO constellation or geostationary orbit satellite in the streamlined application. Permitting streamlined space and earth station applications would save costs and internal resources for satellite operators. It would also promote regulatory parity for satellite operators because

⁵ EchoStar/Hughes Comments at 4.

⁶ 47 C.F.R. § 1.10010.

⁷ EchoStar/Hughes Comments at 4.

⁸ *Id.* at 5.

Marlene H. Dortch

June 9, 2017

Page 3

terrestrial wireless operators are already permitted to seek a comprehensive network license under the Commission rules.

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This letter is filed pursuant to Section 1.1206 of the Commission's rules. Please direct any questions regarding this matter to the undersigned.

Sincerely,

/s/ Patrick R. Halley

Patrick R. Halley

Lynne M. Montgomery

Counsel to Iridium Communications Inc.