

LAWLER, METZGER, KEENEY & LOGAN, LLC

1717 K STREET, NW  
SUITE 1075  
WASHINGTON, D.C. 20006

REGINA M. KEENEY

PHONE (202) 777-7700  
FACSIMILE (202) 777-7763

June 12, 2018

*Via Electronic Filing*

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

Re: *Ex Parte* Notice: *Globalstar, Inc. Petition for Notice of Inquiry Regarding the Operation of Outdoor U-NII-1 Devices in the 5 GHz Band* – RM-11808

Dear Ms. Dortch:

On June 11, 2018, L. Barbee Ponder IV, General Counsel & Vice President, Regulatory Affairs, for Globalstar, Inc. (“Globalstar”), Steve Berman of Lawler, Metzger, Keeney & Logan, LLC, and I had separate meetings with Erin McGrath, Legal Advisor to Commissioner Michael O’Rielly; Will Adams, Legal Advisor to Commission Brendan Carr; and Umair Javed, Legal Advisor to Commissioner Jessica Rosenworcel. At these meetings, we discussed Globalstar’s recently filed Petition for Notice of Inquiry regarding the viability of continued spectrum sharing between its licensed mobile satellite service (“MSS”) operations and outdoor Unlicensed National Information Infrastructure (“U-NII”) devices operating in the 5.1 GHz band.<sup>1</sup>

As we described in these meetings, Globalstar has recently measured a dramatic rise in the noise level in the 5.1 GHz band, where it is licensed for “feeder uplink” transmissions from its gateway earth stations to its satellites. Globalstar’s technical evidence and analysis – included in its Petition – demonstrate that this noise rise is the result of outdoor, higher-power operation of U-NII-1 Wi-Fi access points and other devices, permitted by the Commission in April 2014.<sup>2</sup> Every Globalstar satellite “hears” all transmissions in its 5096-5250 MHz feeder uplink band across a constantly moving 7,800 kilometer-wide area on the Earth’s surface. Aggregate emissions from U-NII-1 access points within this area radiate in the direction of Globalstar’s satellites, increasing the noise level in its feeder uplink and in turn degrading Globalstar’s MSS to

---

<sup>1</sup> Petition for Notice of Inquiry of Globalstar, Inc., RM-11808 (May 21, 2018) (“Petition”); Public Notice, *Consumer & Governmental Affairs Bureau Reference Information Center Petition for Notice of Inquiry*, Report No. 3092 (rel. June 6, 2018).

<sup>2</sup> *Revision of Part 15 of the Commission’s Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band*, First Report and Order, 29 FCC Rcd 4127, ¶¶ 34-46 (2014) (“2014 5 GHz Order”).

end users in the 2.4 GHz band. After two plus years of deployments, Globalstar is already experiencing a detrimental impact from outdoor U-NII-1 operations, having confirmed a 2 dB increase in the 5.1 GHz noise level since the Commission's *2014 5 GHz Order*.

In its 2014 order, the Commission recognized that Globalstar's licensed MSS is protected against harmful interference from unlicensed operations and acknowledged Globalstar's technical ability to measure the noise level at its satellite antennas.<sup>3</sup> The Commission further stated that "corrective action" would be required in the event of harmful interference to Globalstar MSS.<sup>4</sup> In our meetings, we pointed out that Globalstar will suffer severe harmful interference in the future if the current U-NII-1 "sharing" regime is left unchanged, and urged that the Commission begin "corrective action" now rather than wait until Globalstar and its customers experience future service disruptions. Accordingly, the Commission should expeditiously adopt a Notice of Inquiry on these interference and coexistence issues in the 5.1 GHz band.

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this *ex parte* notification is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,

/s/ Regina M. Keeney  
Regina M. Keeney

cc: Erin McGrath  
Will Adams  
Umair Javed

---

<sup>3</sup> *Id.* ¶¶ 38, 46.

<sup>4</sup> *Id.* ¶ 38; *see also* 47 C.F.R. § 15.407(j).