

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Allocation and Service Rules for the)	IB Docket No. 19-116
1675-1680 MHz band)	

To: Federal Communications Commission

REPLY COMMENTS OF IRIDIUM COMMUNICATIONS INC.

July 22, 2019

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I. INTRODUCTION

Iridium Communications Inc. (“Iridium”) hereby files these reply comments in response to the Federal Communications Commission’s (“Commission’s” or “FCC’s”) notice of proposed rulemaking (“NPRM”) concerning allocation and service rules for the 1675-1680 MHz band.¹ As the Commission considers the comments and concerns raised by parties in response to the NPRM, it should disregard Ligado’s attempts to coerce it into action on licensing matters unrelated to the 1675-1680 MHz band. In addition, the record shows support for geographic licensing, not a single nationwide license as Ligado proposes. Finally, the Commission should heed the calls for caution from a substantial number of incumbent satellite users and other interests as the Commission considers terrestrial use of the 1675-1680 MHz band.

II. DISCUSSION

A. The Commission Should Ignore Ligado’s Threats to Not Participate in an Auction for 1675 MHz

The Commission should disregard Ligado’s attempts to coerce it into action on Ligado’s

¹ *Allocation and Service Rules for the 1675–1680 MHz Band*, Notice of Proposed Rulemaking, FCC 19-43 (rel. May. 13, 2019) (“NPRM”).

pending license modifications.² Commission action on Ligado’s proposed modifications to its satellite licenses has *nothing* to do with action in 1675-1680 MHz. Simply because Ligado thinks that its proposed use of the band is the “highest and most valuable”³ does not make it so, and there is no reason to think that without Ligado there will be no one left to participate in an auction for the 1675-1680 MHz band.

The Commission should similarly disregard the hollow promises with which Ligado attempts to entice the Commission into action. Ligado states a willingness to pay a “reasonable reserve price to ensure the auction [is] successful,”⁴ but without any hint of what it considers “reasonable.” Whatever price Ligado is willing to pay will likely fall short of the Commission’s \$600 million target for the auction of this band.⁵ Moreover, even if the Commission grants Ligado’s pending license modification applications, a flawed policy decision given the unresolved interference issues in those applications,⁶ the Commission has no guarantee that Ligado will participate in the 1675 MHz band auction at all.

Ligado would not be the first company to actively advocate for self-serving rules in an

² See Comments of Ligado Networks LLC at 19-21 (filed Jun. 21, 2019) (“Ligado Comments”). Specifically, these include Ligado’s license modification applications under IBFS File Nos. SES-MOD-20151231-00981, SAT-MOD-20151231-00090, SAT-MOD-20151231-00091, and their associated amendments, and IB Docket No. 11-109.

³ Ligado Comments at 2.

⁴ *Id.* at 20.

⁵ See Federal Communications Commission Fiscal Year 2020 Budget Estimates to Congress at 13 (rel. Mar. 18, 2019).

⁶ See Letter from Coalition of Aviation, SATCOM, and Weather Information Users to Marlene H. Dortch, Secretary, FCC, IB Docket Nos. 12-340, 11-109; RM-11681; IBFS File Nos. SES-MOD-20151231-00981, SAT-MOD-20151231-00090, SAT-MOD-20151231-00091 (filed Sept. 27, 2018); Comments of Iridium Communications, Inc., IB Docket Nos. 12-340, 11-109; IBFS File Nos. SES-MOD-20151231-00981, SAT-MOD-20151231-00090, and SAT-MOD-20151231-00091 (filed Jul. 9, 2018); Comments of Iridium Communications, Inc., IB Docket Nos. 12-340, 11-109; IBFS File Nos. SES-MOD-20151231-00981, SAT-MOD-20151231-00090, and SAT-MOD-20151231-00091 (filed Jul. 26, 2018); Letter from Bradford W. Parkinson, First Vice Chair, PNT Advisory Board, to Patrick M. Shanahan, Deputy Secretary, Department of Defense et al. (dated Aug. 10, 2018); Letter from John Stenbit, Chair, National Space-based PNT Advisory Board, to Deputy Secretary of Defense Robert O. Work and Deputy Secretary of Transportation Jeffrey A. Rosen (dated Jul. 5, 2017).

FCC proceeding only to vanish when it came time for the auction. For example, ArrayComm, Inc. participated extensively in the Commission's NPRM for allocation and service rules in the 1670-1675 MHz band, including encouraging the Commission to auction the band with a nationwide license,⁷ but ultimately failed to qualify for the auction.⁸ It was a similar story with Northpoint Technology, Ltd., which made numerous filings in the rulemaking for the multichannel video distribution and data service ("MVDDS") in the 12 GHz band, but ultimately failed to participate when the Commission auctioned the band.⁹ This Commission should not repeat the errors of prior Commissions by falling for the assurances of a transient FCC advocate.

Whether or not Ligado ultimately bids in an auction for the 1675-1680 MHz, there is no reason to think that granting it favors is necessary to encourage participation. If Ligado truly believes that it will be able to put the 1675-1680 MHz band to the "highest and most valuable use," then it will participate in an auction for the band regardless of Commission action on Ligado's license modifications.

B. The Commission Should Reject Ligado's Repeated Calls for a Nationwide License

The record provides no basis for the Commission to deviate from its proposal to license the 1675-1680 MHz band on a partial economic area ("PEA") basis. Indeed, the only commenters other than Ligado specifically addressing the licensing area oppose a nationwide license on the basis that such a proposal will reduce participation in the auction and has previously failed to

⁷ See Comments of ArrayComm, Inc., WT Docket No. 02-08 at 3-4 (filed Mar. 4, 2002); *Amendments to Parts 1, 2, 27 and 90 of the Commission's Rules to License Services in the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands*, Report and Order, 20 FCC Rcd 9980, 9991-92, ¶ 19 (2002) (citing ArrayComm as one of the proponents of a nationwide license in 1670-1675 MHz).

⁸ See *Auction of License for 1670-1675 MHz Band; 2 Qualified Bidders*, Public Notice, 18 FCC Rcd 7115 (2003) (two bidders qualified for the auction; neither ArrayComm nor its affiliates qualified).

⁹ See *Multichannel Video Distribution and Data Service Spectrum Auction, 14 Qualified Bidders*, Public Notice, 18 FCC Rcd 26068 (2003) (NorthPoint was not among the fourteen bidders who qualified for the auction).

advance the public interest.¹⁰ Ligado provides no evidence that a nationwide license will benefit anyone other than itself. And if for some reason the Commission is inclined towards Ligado's nationwide license proposal, Ligado's years of squatting on a nationwide license in the adjacent 1670-1675 MHz band should be sufficient to dissuade such thinking.¹¹ The Commission should stick with a geographic licensing regime that will allow the market, not Ligado, to determine the highest valued use of the 1675-1680 MHz band.

C. Ligado is Overly Dismissive of Incumbent Operations

Ligado is wholly dismissive of non-Federal users of data transmitted via the NOAA GOES system, referring to them as “eavesdroppers” and “therefore not entitled to any protections.”¹² Such statements ignore the significant public interest benefits of these services—the Commission should not do the same. The record developed in this proceeding includes representation from a broad array of interested parties who raise significant concerns about the impact of terrestrial operations in the 1675-1680 MHz band on the GOES system, and concerns about the effectiveness of the alternative content delivery network advocated by Ligado.¹³ Indeed, these comments comprise the bulk of responses to the NPRM to date. Ligado must also address concerns raised about the impact of proposed terrestrial operations in 1675-1680 MHz

¹⁰ See Comments of National Spectrum Management Association at 5-6 (filed Jun 20, 2019) (“A nationwide basis would eliminate some bid options and likely reduce the number of bidders”); Iridium Comments at 7.

¹¹ See Iridium Comments at 8-9.

¹² Ligado Comments at 9-10.

¹³ See, e.g., Comments of American Geophysical Union, American Meteorological Society, and National Weather Association (filed Jun. 20, 2019) (expressing concern with interference caused by proposed terrestrial operations in the 1675-1680 MHz to receive-only antennas utilized by weather, water, and climate enterprise users; questioning the latency and quality of a terrestrial data delivery system compared to GOES); Comments of AccuWeather, Inc. (filed Jun. 21, 2019) (stating that the NPRM raises grave concerns about harmful interference to reliable downlinking of data from GOES; stressing the importance of the low-latency and high reliability of GOES compared to a terrestrial content delivery network); Comments of The Boeing Company (filed Jun. 21, 2019) (“the Commission should not consider the transmission of this data by terrestrial means to be a viable alternative, at least not for the foreseeable future”).

on other terrestrial services, such as those in the 1695-1710 MHz band.¹⁴ The Commission would be remiss and potentially overturned if it disregarded the concerns of these commenters, and should proceed carefully to ensure that incumbents, including critical L-band satellite services, are not disrupted by the addition of terrestrial operations to the 1675-1680 MHz band.

III. CONCLUSION

The Commission should consider all of the interests in this proceeding and not orchestrate the treatment of 5 megahertz of spectrum to satisfy one self-interested spectrum speculator. As such, the Commission should ignore Ligado's repeated efforts to coerce the Commission into action on unrelated licensing matters as well as Ligado's self-serving proposal to license the 1675-1680 MHz band on a nationwide basis. It is important to recognize and protect the incumbent interests operating in the 1675-1680 MHz band and proceed carefully to ensure that these services are not compromised by the introduction of a new terrestrial service.

Respectfully submitted,

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¹⁴ See Comments of SNR Wireless LicenseCo, LLC (filed Jun. 21, 2019).