

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Parts 2 and 25 of the	)	IB Docket No. 17-95
Commission's Rules to Facilitate the Use of Earth	)	
Stations in Motion Communicating with	)	
Geostationary Orbit Space Stations in Frequency	)	
Bands Allocated to the Fixed Satellite Service	)	

**REPLY COMMENTS OF AC BIDCO LLC**

AC BidCo LLC (AC BidCo), hereby submits this reply to the comments of other parties in response to the Notice of Proposed Rulemaking in the above-captioned proceeding.<sup>1</sup>

AC BidCo urges the Commission to move forward expeditiously with its proposals to reorganize the rules for operation of earth stations in motion (ESIMs) and to eliminate unnecessary rule requirements. In addition, AC BidCo agrees with the suggestion made by SES and O3b that the Commission should permit use of the 10.7-10.95 GHz and 11.2-11.45 GHz Appendix 30B spectrum for downlinks to ESIM terminals.

**I. THE RECORD SUPPORTS CONSOLIDATING  
AND STREAMLINING THE ESIM RULES**

A number of commenters join AC BidCo in endorsing Commission proposals to increase consistency and eliminate redundancy by incorporating requirements for all three categories of ESIMs – earth stations aboard aircraft (ESAAs), earth stations on vessels (ESVs), and vehicle-mounted earth stations (VMESs) – into a single regulatory framework. Parties also

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<sup>1</sup> *Amendment of Parts 2 and 25 of the Commission's Rules to Facilitate the Use of Earth Stations in Motion Communicating with Geostationary Orbit Space Stations in Frequency Bands Allocated to the Fixed Satellite Service*, Notice of Proposed Rulemaking, IB Docket No. 17-95 (rel. May 19, 2017) (the "Notice").

widely agree that existing rule provisions that impose unjustified burdens on ESIM operators should be removed.

In particular, filers support cross-referencing the existing Section 25.218 off-axis equivalent isotropically radiated power (e.i.r.p.) density limits in the ESIM regulatory provisions.<sup>2</sup> Moreover, there is consensus in favor of the Commission's plan to give ESIM applicants the alternative of certifying compliance with the antenna pattern specifications in Section 25.209 and the antenna input power density requirements in Section 25.212, in addition to the current option of showing that the Section 25.218 off-axis E.I.R.P. density limits are met.<sup>3</sup>

The record also overwhelmingly supports the Commission's proposals to eliminate the antenna pointing accuracy and data logging requirements. Boeing observes that many antennas used to provide ESIM services "are steered electronically" and are therefore "able to comply with the Commission's off-axis density limits either through electronic beam steering or simply by ensuring that the off-axis radiation of the signal never exceeds the density limits."<sup>4</sup> Inmarsat notes that removing the pointing accuracy requirement "will provide ESIM operators increased flexibility to meet the off-axis e.i.r.p. density levels for different operational scenarios."<sup>5</sup>

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<sup>2</sup> See Comments of AC BidCo LLC, IB Docket No. 17-95, filed July 31, 2017 (AC BidCo Comments) at 2-3; Comments of Inmarsat Inc., IB Docket No. 17-95, filed July 31, 2017 (Inmarsat Comments) at 3; Comments of The Boeing Company, IB Docket No. 17-95, filed July 31, 2017 (Boeing Comments) at 4; Comments of ViaSat, Inc., IB Docket No. 17-95, filed July 31, 2017 (ViaSat Comments) at 5-6.

<sup>3</sup> AC BidCo Comments at 3; Boeing Comments at 4; ViaSat Comments at 6; Joint Comments of Kymeta Corporation and Intelsat License LLC, IB Docket No. 17-95, filed July 31, 2017 (Kymeta/Intelsat Comments) at 3.

<sup>4</sup> Boeing Comments at 4 (footnote omitted).

<sup>5</sup> Inmarsat Comments at 3; *see also* AC BidCo Comments at 3-4; Comments of Hughes Network Systems, LLC, IB Docket No. 17-95, filed July 31, 2017 (Hughes Comments) at 3; Kymeta/Intelsat Comments at 4; ViaSat Comments at 7.

Similarly, parties agree that retaining the data logging requirements serves no purpose. AC BidCo and other ESIM operators all confirm that they have never been asked to provide data collected pursuant to the current rules.<sup>6</sup> As a result, the current requirement has proved unnecessary, and eliminating it “will reduce regulatory burdens without any consequential harm.”<sup>7</sup>

## **II. THE COMMISSION SHOULD ALLOW ESIM USE OF THE 10.7-10.95 GHz AND 11.2-11.45 GHz DOWNLINK BANDS**

AC BidCo supports the request of SES and O3b for an expansion of the frequency bands available for ESIM operations to include the 10.7-10.95 GHz and 11.2-11.45 GHz Appendix 30B extended Ku-band frequencies.<sup>8</sup> As SES and O3b explain, the Commission has already authorized operations by both ESAA and ESV terminals in these band segments.<sup>9</sup> Adopting the rule revisions set forth in Annex 1 of the SES/O3b Comments to specify that these band segments can be employed for ESIM networks will help meet demand for satellite capacity for ESIM operations and will not impede terrestrial use of the spectrum.<sup>10</sup>

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<sup>6</sup> AC BidCo Comments at 4; Boeing Comments at 5; Inmarsat Comments at 3; Kymeta/Intelsat Comments at 6; ViaSat Comments at 8.

<sup>7</sup> Inmarsat Comments at 3.

<sup>8</sup> Comments of SES S.A. and O3b Limited, IB Docket No. 17-95, filed July 31, 2017 (SES/O3b Comments) at 7-8.

<sup>9</sup> *See id.* at 7 & n.23.

<sup>10</sup> *See id.* at 7 n.22.

### III. CONCLUSION

For the reasons discussed herein and set forth in the initial AC BidCo Comments, the Commission should restructure and streamline the rules applicable to ESIMs and delete unnecessary requirements. The Commission should also allow ESIMs to receive signals in the 10.7-10.95 GHz and 11.2-11.45 GHz frequencies.

Respectfully submitted,

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