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September 19, 2018

**Notice of *Ex Parte* Communication**

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

Re: *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*; IB Docket No. 17-95

Dear Ms. Dortch:

On September 18, 2018, I met with Umair Javed, Legal Advisor to Commissioner Jessica Rosenworcel on behalf of Iridium Communications, Inc. ("Iridium"). During the meeting, I discussed with Mr. Javed the Commission's pending Report and Order and Further Notice of Proposed Rulemaking concerning earth stations in motion ("ESIMs").<sup>1</sup> I urged the Commission to consider alternatives that would provide at least some meaningful protection to Iridium and its more than one million subscribers, and to the \$3 billion investment made in its next-generation constellation, Iridium NEXT.

Specifically, I reiterated Iridium's arguments that the Commission should not permit ESIMs as an application of the fixed-satellite service ("FSS") in the 29.25-29.3 GHz band, because these devices will interfere with Iridium feeder uplinks—and instructing the parties to resolve this interference by coordinating their services, a process that has confounded the industry for years, is not enough. But Iridium also recognizes the Commission's desire to promote new services and encourage the development of innovative approaches to sharing spectrum. Therefore, I restated several alternatives that would permit significant new use of 29.25-29.3 GHz by ESIMs, while also allowing compatibility analyses to develop further before risking deployments that pose a substantially greater threat of harmful interference.<sup>2</sup>

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<sup>1</sup> See FCC Fact Sheet, Amendment of the Commission's Rules Related to Earth Stations in Motion Communicating with Geostationary Orbit Satellites, *Report and Order and Further Notice of Proposed Rulemaking*, IB Docket No. 17-95 (rel. Sept. 5, 2018) ("Draft Order").

<sup>2</sup> See Letter from Scott Blake Harris, Counsel to Iridium Communications, Inc., to Marlene H. Dortch, Secretary, FCC, IB Docket No. 17-95 (filed Sept. 12, 2018).



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For example, the Commission could permit all types of ESIMs in the 29.25-29.3 GHz band, but require ESIMs to comply with the "mechanisms" for protecting "Iridium feeder link reception" described in paragraph 56 of the Draft Order.<sup>3</sup> While the Draft Order, as written, would not make these mechanisms mandatory, they are the only mechanisms identified in the item for operating ESIMs compatibly with Iridium feeder links.<sup>4</sup> Should the industry develop additional mechanisms for sharing spectrum in the future, the Commission could relax these requirements at that time.

If you require any additional information, please contact the undersigned.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert M. McDowell".

Robert M. McDowell  
*Counsel to Iridium Communications, Inc.*

Enclosure

cc: Mr. Umair Javed

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<sup>3</sup> Draft Order at ¶ 56.

<sup>4</sup> See *id.* (describing two mechanisms that would protect Iridium feeder links by preventing short-term interference events); *id.* at ¶ 57 (concluding that "coordination is feasible" due to the availability of the two methods "described in the paragraph above"); *id.* at ¶ 57 n.146 (explaining that the parties can address "time aggregation" issues created by multiple, discrete short-term interference events occurring at different times by ensuring that "no ESIM is allowed to ever exceed the acceptable interference level associated with small percentages of time").