



**Before the
Federal Communications Commission
Washington, DC 20554**

In the matter of)	WT Docket No. 19-280
)	
IRIDIUM COMMUNICATIONS, INC.)	
)	
Petition for Waiver of Certain Part 80 Rules)	
Concerning Iridium's Provision of GMDSS)	

To: Chief, Wireless Telecommunications Bureau

REPLY COMMENTS OF U.S. COAST GUARD

The United States Coast Guard (Coast Guard) hereby submits these Reply Comments in response to the above-referenced Petition for Waiver of Part 80 of the Federal Communications Commission's Rules.¹ (Referred to herein as "Iridium Petition"). This proceeding concerns in general terms the acceptance of Iridium as a maritime public safety service provider in the United States. For reasons stated herein and in other regulatory proceedings, the Coast Guard fully supports Iridium's Petition and its efforts to provide Global Maritime Distress and Safety System (GMDSS) services.

¹ See Public Notice, "Wireless Telecommunications Bureau Seeks Comment on Iridium Communications, Inc. Petition for Waiver to Permit Use of Iridium Service to Meet GMDSS Requirements," WT Docket No. 19-280, DA 19-995 (October 3, 2019) ("Public Notice").

I. Statement of Interest and Overview

The Coast Guard is one of the five branches of the United States Armed Forces. The Coast Guard is a maritime, military, multi-mission service unique among the U.S. military branches for having a maritime law enforcement mission (with jurisdiction in both domestic and international waters) and federal regulatory agency statutory obligations. The Coast Guard operates under the U.S. Department of Homeland Security during peacetime, and can be under the supervision of the U.S. Department of the Navy during times of war.

The Coast Guard's legal authority differs from the other four armed services, as it operates simultaneously under Title 10 of the U.S. Code and other statutory authorities, such as Titles 6, 14, 19, 33, and 46. Because of its legal authority, the Coast Guard can conduct military operations under the U.S. Department of Defense or directly for the President in accordance with Title 14 U.S.C. §§1–3. The Coast Guard's enduring roles are maritime safety, security, and stewardship, all of which are implicated to some extent in this FCC proceeding. To carry out those roles the Coast Guard has 11 statutory missions as defined in 6 U.S.C. § 468, which include enforcing U.S. law in the world's largest exclusive economic zone of 3.4 million square miles (8,800,000 km). The Coast Guard's motto is the Latin phrase, *Semper Paratus* (Always Ready), which succinctly states the overall mission of the Coast Guard.

Search and Rescue (SAR) is one of the Coast Guard's oldest missions. Minimizing the loss of life, injury, property damage or loss by rendering aid to persons in distress and property in the maritime environment has always been a Coast Guard priority. Coast Guard SAR response involves multi-mission stations, cutters, aircraft and boats linked by extensive communications networks. The National SAR Plan divides the U.S. area of SAR responsibility into internationally recognized inland and maritime SAR regions. The Coast Guard is the

Maritime SAR Coordinator. To meet this responsibility, the Coast Guard maintains SAR facilities on the East, West and Gulf coasts, in Alaska, Hawaii, Guam, and Puerto Rico, as well as on the Great Lakes and inland U.S. waterways. The Coast Guard is recognized worldwide as a leader in the field of search and rescue.

II. Pressing Public Need for Iridium's GMDSS Service

The regulatory request made in Iridium's Petition represents the final steps to be taken in a more than decade-long effort to improve global maritime safety. For many years, the Coast Guard has led a U.S. multi-agency partnership with Iridium Communications, international maritime organizations and the global maritime community, to achieve a truly "global" maritime distress service. These concerted efforts have led to the moment described in Iridium's Petition, where opportunity, governance, and urgency for safety have converged to enable truly global maritime safety communications services. With the FCC's approval of Iridium's sound and sensible regulatory request, a truly global maritime public safety communications service will be available sometime in 2020.

This GMDSS initiative meets the intent of the United States' Arctic Strategy (Improving Awareness – Situation Awareness/Communications in the Polar Regions) and key Coast Guard communications and global mission strategies. Iridium's Petition also reflects a worldwide consensus formed by those governmental entities that are most knowledgeable about maritime public safety issues. Since 2006, the International Maritime Organization (IMO), a United Nations specialized agency (consisting of 171 Member States), headquartered in London, has been responsible for measures to improve the safety and security of international shipping and to prevent pollution from ships. IMO has been looking to advance maritime safety by promoting a process to accept new satellite providers of maritime distress communications.

GMDSS is an international system which uses terrestrial and satellite technology and ship-board radio-systems to ensure rapid, automated, alerting of shore based communication and rescue authorities, in addition to ships in the immediate vicinity, in the event of a marine distress. Currently, Inmarsat is the only IMO recognized provider of (GMDSS) services. Nevertheless, Inmarsat's satellite-based GMDSS network covers only 70 degrees south to 70 degrees north. In other words, Inmarsat is largely incapable of providing GMDSS maritime safety communications services to any vessels traversing the Arctic regions.

Beginning in 2014, the U.S. sponsored Iridium Communications' applications to become an alternative GMDSS provider, with the Coast Guard taking the lead as the federal entity with the greatest level of subject matter expertise. Iridium proceeded to undergo a multi-year evaluation and approval process in order to become formally recognized by IMO. The U.S. Coast Guard has largely taken the lead in advocating for Iridium's application on behalf of the U.S. government, with assistance from the State Department and the Federal Communications Commission. The Iridium network is unique in that it covers the entire Earth, including poles, oceans and airways, with 66 satellites launched and in service.

In 2015, the IMO gained overwhelming member state support for Iridium's GMDSS application; that approval allowed Iridium to complete the recognition process by working with manufacturers and international Joint Rescue Coordination Centers. IMO member states also agreed to undertake efforts to implement a US proposal to amend the International Convention for the Safety of Life at Sea (US signed 7 Sept 1978) and change the SOLAS vessel carriage requirement to accommodate additional mobile satellite systems recognized for use in the GMDSS. The Coast Guard was instrumental in these efforts.

In addition to IMO, another London-based international organization, the International

Mobile Satellite Organization (IMSO), is a significant participant in Iridium's efforts to become recognized under international law as the second GMDSS service provider. IMSO's role is largely technical in nature; they were assigned by IMO the task of evaluating Iridium's network and radio equipment to ensure that they meet certain basic GMDSS service requirements. The Coast Guard participated as an observer and advisor throughout that evaluation process, from inception to final approval by IMSO of Iridium's GMDSS service offering. Moreover, the Coast Guard led the U.S. Delegation in IMSO negotiations that led to the signing of a GMDSS Public Service Agreement between Iridium and IMSO. In short, it is more than just Iridium claiming that it is prepared to provide GMDSS services. The global maritime safety community has overseen this entire process and has determined through broad global consensus that Iridium should be authorized to provide GMDSS services as soon as possible.

III. Iridium Waiver is Appropriate and Should be Granted

The Coast Guard fully supports the Iridium Petition and Part 80 rule waiver request. Iridium's proposed GMDSS service has been thoroughly vetted by IMO, IMSO and technical advisory entities. The Iridium system is essential to protecting the safety and security of U.S. citizens, especially due to the increased maritime traffic in the northern and polar regions. In these regions, it is vital that mariners have reliable communications with the Coast Guard at the onset of an emergency, because survival is measured in seconds under these extreme conditions.

The Coast Guard disagrees with Inmarsat's contention that Iridium's GMDSS service proposal should be required to proceed through a new rulemaking proceeding rather than by waiver of certain FCC rules. *Cf.* Comments of Inmarsat, *et seq.*, WT Docket No. 19-280 (October 24, 2019). Indeed, Inmarsat's statement to that effect is essentially at odds with the position it took in response to the FCC's Part 80 Rewrite Public Notice as recently as three years

ago. In that regulatory proceeding Inmarsat agreed with the consensus view that Part 80 of the Rules should “incorporate by reference” applicable maritime communications standards. *See, e.g., Iridium Comments; NMEA Comments; Comments of Inmarsat, Inc.* at 3 (May 31, 2016) (recommending that when the FCC adopts or revises Part 80 definitions, those definitions should conform to those of relevant international standards-setting organizations). Given that Iridium has agreed to comply with all applicable SOLAS/GMDSS maritime treaty requirements as if they had been incorporated by reference into Part 80 of the FCC’s Rules (*see* Iridium Petition at pp. 5,8), Inmarsat’s rulemaking proposal makes no sense and would create unnecessary regulatory delays that would harm maritime public safety. Iridium is already prepared to provide critical maritime safety services in compliance with SOLAS and other applicable standards and laws. As Inmarsat itself concurred in the FCC’s Part 80 rewrite proceeding, incorporating those standards by reference into the Iridium Petition should suffice.

CONCLUSION

Given that Iridium has already shown that its GMDSS service will comply with SOLAS requirements when deployed in early 2020, and given that SOLAS requirements for GMDSS are incorporated by reference into Part 80 of the FCC's Rules, Iridium's common sense rule waiver proposal should be granted. The FCC's grant of the Iridium Petition will ensure that a truly global maritime public safety communications service will be available beginning in 2020. The Coast Guard wishes to thank the FCC for its continued efforts in promoting global maritime safety.

Respectfully submitted,

U.S. COAST GUARD

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