

8 November 2018

Ex Parte

Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

*Re: Facilitating the Communications of Earth Stations in Motion with Non-Geostationary
Orbit Space Stations, IB Docket No. 18-315*

Dear Ms. Dortch:

On 7 November 2018, Maureen C. McLaughlin of Iridium Communications, Inc. (“Iridium”), Joe Godles of Goldberg, Godles, Wiener & Wright LLP, and Shiva Goel and I of Harris, Wiltshire & Grannis LLP met with Troy Tanner, Jennifer Gilsenan, Stephen Duall, Cindy Spiers, and Sankar Persaud of the International Bureau.

We did not object to the draft NPRM on NGSO ESIMs or the text of the proposed rules. We simply expressed concern with what appear to be inadvertent inconsistencies between the text of two sentences and the conclusions otherwise reached in the draft.

First, in paragraph 8, the draft NPRM seeks comment on allowing NGSO FSS ESIMs in the “Ku- and Ka-bands where the Commission’s rules allow ESIM communications with GSO FSS space stations.” But because of the recent GSO ESIMs Order, that sentence could be misinterpreted to include the 18.6-18.8 and 29.25-29.5 GHz bands. Yet in three other places, the draft NPRM makes clear that the Commission is not proposing to allow NGSO FSS ESIMs in either of those bands.

Paragraph 7, for example, says that the Commission is proposing to allow NGSO FSS ESIMs in bands where GSO FSS ESIMs are allowed “*with the exception of*” 18.6-18.8 GHz and 29.25-29.5 GHz. Paragraph 14 starkly provides that the Commission “*will not consider*” allowing NGSO FSS ESIMs in either band. Moreover, neither band appears in the text of the proposed rules, or the in the list of proposed bands for NGSO FSS ESIMs in paragraph 9. Accordingly, we proposed a simple edit to paragraph 8 which is reflected in the attachment to this letter.

Second, in paragraph 14, the Commission says it “will not consider” allowing NGSO FSS ESIMs in the 29.25-29.5 GHz band (or the 18.6-18.8 GHz band) because they are “reserved for GSO FSS networks for fixed earth stations.” But this language could be misconstrued since, as explained, the Commission recently adopted rules allowing GSO FSS ESIMs in both bands. Moreover, the 29.25-29.5 GHz band isn’t entirely reserved for GSO networks—it can be used for NGSO MSS feeder links on a co-primary basis under the Commission’s Ka-band plan.

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Again, we suggested a simple edit to this paragraph to clear up any confusion and which is also reflected in the attachment to this letter.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is stylized with a large, sweeping "S" and the name in all caps.

Scott Blake Harris

Counsel to Iridium Communications, Inc.

Cc: Troy Tanner
Jennifer Gilsenan
Stephen Duall
Cindy Spiers
Sankar Persaud

ATTACHMENT

Draft NPRM

8. *Frequency Bands for NGSO FSS ESIMs and Associated Rule Changes.* We seek comment on, to the extent feasible, allowing ESIMs to communicate with NGSO FSS systems in the Ku- and Ka-bands where the Commission's rules allow ESIM communications with GSO FSS space stations.

14. We will not consider allowing ESIMs to communicate with NGSO FSS systems in bands that are reserved for GSO FSS networks for fixed earth stations because we believe the reasons for such limitations are also valid for ESIMs operating with NGSO FSS systems. Specifically, we would not allow NGSO FSS ESIMs to operate in the 18.6-18.8 GHz (space-to-Earth) and 29.25-29.5 GHz (Earth-to-space) frequency bands.

Proposed Revisions

8. *Frequency Bands for NGSO FSS ESIMs and Associated Rule Changes.* We seek comment on, to the extent feasible, allowing ESIMs to communicate with NGSO FSS systems in the Ku- and Ka-bands where the Commission's rules allow ESIM communications with GSO FSS space stations, **with the exception of frequency bands 18.6-18.8 GHz and 29.25-29.5 GHz.**

14. We will not consider allowing ESIMs to communicate with NGSO FSS systems in bands **where communications with NGSO FSS space stations are not permitted under the Commission's band plan** ~~that are reserved for GSO FSS networks for fixed earth stations~~ because we believe the reasons for such limitations are also valid for ESIMs operating with NGSO FSS systems. Specifically, we would not allow NGSO FSS ESIMs to operate in the 18.6-18.8 GHz (space-to-Earth) and 29.25-29.5 GHz (Earth-to-space) frequency bands.