

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
1998 Biennial Regulatory Review –)
Amendment of Parts 2, 25 and 68 of the)
Commission’s Rules to Further Streamline)
the Equipment Authorization Process for)
Radio Frequency Equipment, Modify the)
Equipment Authorization Process for)
Telephone Terminal Equipment, Implement)
Mutual Recognition Agreements and Begin)
Implementation of the Global Mobile Personal)
Communications by Satellite (GMPCS))
Arrangements)

GEN Docket No. 98-68

To: The Commission

REPLY COMMENTS

Final Analysis Communication Services, Inc. (“Final Analysis”), by its attorneys, hereby submits its reply comments on the above-captioned notice to streamline the rules and authorization process for global mobile personal communications by satellites (“GMPCS”).¹ For the reasons discussed below, Final Analysis urges the Commission to clarify that the interim equipment certification procedures apply to all mobile satellite services, that GMPCS equipment certifications granted under blanket licenses not be “grandfathered” when the Commission adopts the interim GMPCS equipment rules, and that neither blanket licenses nor interim GMPCS approvals be “grandfathered” when the Commission adopts final GMPCS equipment approval rules.

¹ See Amendment of Parts 2, 25 and 68 of the Commission’s Rules to Further Streamline the Equipment Authorization Process for Radio Frequency Equipment, Modify the Equipment Authorization Process for Telephone Terminal Equipment, Implement Mutual Recognition Agreements and Begin Implementation of the Global Mobile Personal Communications by Satellite (GMPCS) Arrangements, Notice of Proposed Rulemaking, GEN Docket No. 98-68, FCC 98-92, (released May 18, 1998) (“Notice”).

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The record reflects overwhelming support for applying the interim equipment certification procedures to all mobile satellite services, including both Big Leo and Little Leo satellite systems.² As the comments of ICO, Iridium, Lockheed Martin, and ORBCOMM make clear, adoption of the interim procedures for all mobile satellite services would best serve the public interest, in part because any satellite system to which the interim procedures are not available would suffer a competitive disadvantage if its user terminals could not be transported across national territories as easily as those that benefit from the interim procedures.³ Consequently, Final Analysis urges the Commission to clarify that the interim procedures apply to all mobile satellite systems so that all aspects of the GMPCS industry may benefit from the equipment certification procedures of the GMPCS-MOU.

The record also makes clear that GMPCS equipment certifications granted under blanket licenses should not be “grandfathered” when the Commission adopts the interim GMPCS equipment rules, and that blanket licenses and interim GMPCS approvals should not be “grandfathered” when the Commission adopts final GMPCS equipment approval rules.⁴ Rather, all equipment approvals, including those granted before the Commission adopts final GMPCS certification procedures, should be subject to the final certification procedures. This will ensure uniformity of treatment and marking for global terminals and avoid confusion. Accordingly, Final Analysis agrees with CCI, Leo One USA and ORBCOMM that all GMPCS equipment

² See Comments of ICO Global Communications (“ICO”), GEN Docket No. 98-68, 2 (July 27, 1998); Comments of Iridium LLC (“Iridium”), GEN Docket No. 98-68, 4-5 & n. 2 (July 27, 1998); Comments of Lockheed Martin Corporation (“Lockheed Martin”), GEN Docket No. 98-68, 2 (July 27, 1998); Comments of Orbital Communications Corporation (“ORBCOMM”), GEN Docket No. 98-68, 7-8 (July 27, 1998).

³ See, e.g., Comments of Lockheed Martin at 2.

⁴ See Comments of Constellation Communications, Inc. (“CCI”), GEN Docket No. 98-68, 5 (July 27, 1998); Comments of Leo One USA Corporation (“Leo One USA”), GEN Docket No. 98-68, 3 (July 27, 1998); Comments of ORBCOMM at 6-8.

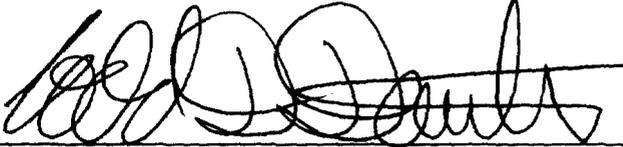
certified before the Commission adopts final rules implementing the GMPCS-MOU must also meet any additional requirements contained in those final rules. Therefore, Final Analysis asks the Commission to clarify that all GMPCS equipment certifications must be reviewed immediately after the Commission adopts final rules implementing the GMPCS-MOU to ensure conformity with the final rules.

CONCLUSION

For the reasons discussed above, Final Analysis urges the Commission to clarify that the interim equipment certification procedures apply to all mobile satellite services, that GMPCS equipment certifications granted under blanket licenses not be “grandfathered” when the Commission adopts the interim GMPCS equipment rules, and that neither blanket licenses nor interim GMPCS approvals be “grandfathered” when the Commission adopts final GMPCS equipment approval rules.

Respectfully submitted,

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