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August 26, 1998

VIA HAND DELIVERY  
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RECEIVED

AUG 26 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: GEN Docket No. 98-68

Dear Ms. Salas:

Transmitted herewith are the original and five copies of the Reply Comments of Iridium LLC in connection with the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate directly with the undersigned.

Very truly yours,

IRIDIUM LLC

Audrey L. Allison  
Counsel, Regulatory Matters

Enclosure

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**ORIGINAL**

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

**RECEIVED**

**AUG 26 1998**

**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 OF IRIDIUM LLC**

Iridium LLC ("Iridium") hereby respectfully submits its Reply Comments in reply to several of the comments submitted in response to the Commission's Notice of Proposed Rule Making (NPRM), FCC 98-92, released May 18, 1998, in the above-captioned proceeding.

As noted in its initial comments filed in this proceeding on July 27, 1998, Iridium strongly supports the Commission's swift and responsive action in the subject proceeding to institute interim procedures for approval of Global Mobile Personal Communications by Satellite (GMPCS) terminal equipment as an initial step in implementing the GMPCS Memorandum of Understanding (GMPCS-MoU) and Arrangements. The Commission's action will facilitate the

commencement of service by Iridium and other early GPMCS providers pending the Commission's formal adoption of permanent rules and procedures to finally implement the GMPCS-MoU and Arrangements.

Iridium finds great support for the Commission's action among the parties commenting in this proceeding. A few filers express a different view on the topic of out-of-band emissions limits, but the Commission has left this topic for a future proceeding, where these views and others can be evaluated as permanent rules are considered and adopted. Herein Iridium responds to the comments of the parties in this proceeding relating only to the GMPCS-MoU implementation issues and expresses no opinion with respect to comments that addressed other equipment approval issues.

#### **I. The Commenters Endorse Interim GMPCS Procedures**

The majority of commenters addressing the GMPCS-MoU implementation issue, including Iridium, expressed strong agreement with the Commission's action to adopt interim standards for approval of GMPCS terminal equipment.<sup>1</sup> As noted by Motorola, Inc., this action "makes it possible for GMPCS terminal manufacturers to use the widely-respected FCC equipment certification as the basis for placing the GMPCS-MoU mark on their terminals and for GMPCS systems to begin to enjoy the benefits of the Arrangements during the pendency

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<sup>1</sup> See Comments of Constellation Communications, Inc. at 4; ICO Global Communications at 2; Leo One USA Corp. at 2; Orbital Communications Corp. at 2, 6-7; Lockheed Martin Corp. at 2; Telecommunications Industry Assoc. at 13; and Motorola, Inc. at 13. The comments of Mobile Communications Holdings, Inc. opposing the "licensing" of CDMA GMPCS systems at this time should not be considered in this proceeding but in the ongoing licensing proceeding to which the comments are clearly addressed. See MCHI Comments at 4.

of the domestic implementation proceeding.<sup>2</sup> Like Iridium, the commenters encourage the Commission to expeditiously commence the follow-on proceeding to adopt permanent GMPCS procedures.<sup>3</sup>

Iridium supports the comments of several parties that the interim GMPCS procedures should not be interpreted as being limited to Big LEO MSS. The procedures should also apply to other GMPCS services such as Little LEO MSS and broad band FSS systems.<sup>4</sup>

Iridium further supports the concerns expressed by ICO Global Communications that care must be taken to ensure that the Commission's interim procedures not appear to be a model for other nations to emulate in their implementation of the GMPCS-MoU Arrangements.<sup>5</sup> The GMPCS-MoU and Arrangements leave to the discretion of each Administration and/or Competent Authority to decide for itself how to implement the Arrangements.<sup>6</sup> Most countries do not have extensive regulations and regulatory proceedings relative to GMPCS that may need to be formally modified as part of their GMPCS-MoU implementation process. Indeed, it is likely that the FCC is one of a very few countries that will conduct a formal rulemaking proceeding to change its existing

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<sup>2</sup> Motorola Comments at 14.

<sup>3</sup> See Comments of Constellation at 5, Leo One at 2-3, Lockheed Martin at 3, and TIA at 13.

<sup>4</sup> See Comments of ICO at 4; Orbcomm at 7-8; Lockheed Martin at 2; TIA at 13; Motorola at 14.

<sup>5</sup> ICO Comments at 4-5. See also Iridium Comments at 4 n.1.

<sup>6</sup> For example, many countries have adopted a blanket licensing process for GMPCS terminals. To suggest that nations must now adopt new regulations governing equipment certification requirements could greatly frustrate the objectives of the GPMCS-MoU.

rules to implement the Arrangements. Thus, as ICO asserts, the Commission “should clarify . . . that the Commission’s implementation of this agreement is not intended to suggest any particular interpretation or implementation in any other country.”<sup>7</sup>

## **II. Consideration of Comments on Emissions Limits Should Be Deferred**

The NPRM states that the interim procedures for certification of GMPCS equipment are conditioned on the applicant’s meeting relevant Part 25 and Part 1 standards concerning frequency range, tolerance, out-of-band emissions, spurious emission limits to protect the Global Positioning System, and radiation hazards. The approval of GMPCS terminal equipment operating in the band 1610-1626.5 MHz is further conditioned on the applicant’s ability to meet the strictest out-of-band emission limit proposed for implementation by the year 2005 by the National Telecommunication Information Administration (NTIA) in a pending petition for rule making.<sup>8</sup> Several commenters support the Commission’s action, which allows expeditious implementation of the GMPCS-MoU Arrangements and new GMPCS services while sufficiently protecting the radionavigation satellite service.<sup>9</sup>

Three commenters challenge the Commission’s decision to proceed with the interim certification of GMPCS terminal equipment operating in the 1.6 MHz band, stating that the NTIA out-of-band emission limits may ultimately prove to

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<sup>7</sup> ICO Comments at 4-5.

<sup>8</sup> NPRM at ¶ 45.

<sup>9</sup> See Comments of Rockwell International Corp. at 4; Aeronautical Radio, Inc. at 1-2.

be inadequate to protect GPS/GLONASS and future GPS-based operations.<sup>10</sup> LSC, Inc. proposes its own standard for consideration while the U.S. GPS Industry Council proposes that the Commission abandon its already adopted interim standards in favor of awaiting the final outcome of the future proceeding on the NTIA petition.<sup>11</sup> However, as several commenters, including Iridium, have already noted, these comments are expressly not appropriate in the instant proceeding and should, therefore, be deferred to the future proceeding that the Commission has clearly pledged to soon institute to consider NTIA's petition for rule making.<sup>12</sup>

The Commission will more fully address the NTIA petition in a future proceeding, and GMPCS terminal equipment approved under the interim procedures will be required to meet the permanent limits adopted by the future proceeding.<sup>13</sup> Under these circumstances, consideration of the LSC, GPS Industry Council, and Raytheon comments in this proceeding is unnecessary and redundant. There is certainly no reason to unnecessarily delay global distribution of GMPCS terminals and implementation of GMPCS services.<sup>14</sup>

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<sup>10</sup> See Comments of Raytheon, LSC, Inc., and U.S. GPS Industry Council.

<sup>11</sup> LSC Comments at 2, 24; GPS Industry Council Comments at 10.

<sup>12</sup> Comments of TIA at 13-14; Motorola at 15-16; Iridium at 4-5. On the other hand, Constellation challenges the FCC's adoption of the NTIA-proposed out-of-band emission limits as an interim standard as unfair and argues that it prejudices the outcome of the future proceeding. Constellation Comments at 3-4. Iridium's handset licensee, Iridium U.S., L.P., has already agreed as a condition to its blanket license for its mobile earth terminals to accept the most stringent limits proposed by NTIA.

<sup>13</sup> NPRM at ¶ 46.

<sup>14</sup> Motorola Comments at 16.

### **III. The Interim Procedures Are Not Mandatory and Do Not Impact Blanket Licenses**

The Commission's new interim equipment certification procedures for GMPCS equipment are voluntary, to be used by those GMPCS systems and manufacturers that seek to implement the GMPCS-MoU Arrangements and to pursue U.S. type approval.<sup>15</sup> Thus, the interim procedures do not and should not impact the blanket licenses already issued for mobile earth terminals for GMPCS service providers, pursuant to the service rules established for specific GMPCS services.<sup>16</sup> Indeed, many nations around the world have followed the Commission's example and have adopted blanket licensing for GMPCS terminals, one of the recommended options for general terminal licensing proposed in the GMPCS-MoU Arrangements.

Iridium believes that the comments of Constellation and Leo One on phasing out blanket licenses and the impact of certification on intersystem coordination are better left for the Commission's future proceeding to undertake permanent procedures to implement the GMPCS MoU-Arrangements.<sup>17</sup> Similar treatment should be accorded to Aeronautical Radio, Inc.'s suggestion that equipment certification should be required in addition to any blanket license requirement.<sup>18</sup>

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<sup>15</sup> NPRM at ¶ 45.

<sup>16</sup> *Id.* at ¶ 42.

<sup>17</sup> See Constellation Comments at 5-6; Leo One Comments at 3-4.

<sup>18</sup> ARINC Comments at 4-5.

#### **IV. The Interim Equipment Certification Procedures Do Not Adversely Impact DISCO II**

AMSC Subsidiary Corporation (AMSC) urges the Commission to confirm that the proposed domestic implementation of GMPCS will have no effect on DISCO II and to institute procedures to prevent the provision of unauthorized GMPCS service in the United States.<sup>19</sup> Such action is wholly unnecessary. The terms of the GMPCS-MoU and Arrangements should themselves be sufficiently reassuring to AMSC. The interim GMPCS equipment certification adopted by the Commission in its NPRM has no impact on DISCO II. The GMPCS-MoU Arrangements and their interim domestic implementation apply only to issues concerning terminal equipment and do not address or alter national licensing and service authorization laws, regulations, or policies. Thus, AMSC's call for development of measures to prevent unauthorized GMPCS service in the United States at this time is not appropriate or necessary. In the unlikely event that a GMPCS operator in the future does not adhere to its commitments, the U.S. may consider what action should be taken in a future proceeding or through the GMPCS-MoU review process.

#### **V. Conclusion**

Iridium applauds the Commission's actions to implement interim GMPCS equipment certification procedures in time for commencement of new GMPCS

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<sup>19</sup> Comments of AMSC Subsidiary Corp. at 1.

services. Iridium looks forward to participating in the future proceeding to permanently implement the GMPCS-MoU Arrangements in the very near future.

Respectfully submitted,  
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August 26, 1998

## CERTIFICATE OF SERVICE

I, Audrey L. Allison, an employee of Iridium LLC, do hereby certify that on this 26th day of August 1998, a copy of the foregoing Reply Comments was served upon the following via U.S. First Class Mail, postage prepaid:

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