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Federal Communications Commission  
Office of Secretary

DOCKET # 98-142

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

In the Matter of: )  
)  
Amendment of Parts 2, 25 and 97 ) ET Docket No. 98-142  
of the Commission's Rules with Regard to )  
Mobile-Satellite Service Above 1 GHz )

To the Commission:

**COMMENTS OF ICO SERVICES LIMITED**

ICO Services Limited ("ICO")<sup>1</sup> hereby submits its comments in response to the Federal Communication Commission's ("FCC" or "Commission") August 4, 1998 Notice of Proposed Rule Making ("NPRM") in the above-referenced proceeding.<sup>2</sup> ICO supports the Commission's initiative to add the 5/7 GHz frequency bands to the list of available frequencies for fixed-satellite service ("FSS") feeder links to be used in conjunction with the service links of non-geostationary satellite orbit mobile satellite service ("NGSO MSS") systems. The national allocation of the 5/7 GHz frequency bands to FSS is in the

<sup>1</sup> ICO services Limited, a company established under the laws of England and Wales, is a wholly owned subsidiary of ICO Global Communications (Holding) Limited, which is the ultimate parent of a wholly owned group of companies (referred to herein collectively as "ICO") that is developing a global MSS system.

<sup>2</sup> *Amendment of Parts 2, 25 and 97 of the Commission's Rules with Regard to Mobile-Satellite Service Above 1 GHz*, Notice of Proposed Rule Making, Docket ET No. 98-142, FCC No. 98-177 (Aug. 4, 1998) ("NPRM")

public interest and is consistent with the U.S. international commitments made at recent International Telecommunication Union ("ITU") World Radio Conferences ("WRC").

ICO is well along with the construction of a 12 satellite NGSO MSS system that will be ready for commercial launch of service in 2000 and will provide competitive MSS in the United States market at 2 GHz. ICO, a non-U.S. authorized system, is seeking FCC approval to access the U.S. market using the 2 GHz frequency bands for its service links and the 5/7 GHz frequency bands for its feeder links.<sup>3</sup> Specifically ICO's MSS system will use radio frequencies at 5150-5250 MHz for its earth-to-space feeder link and at 6975-7075 MHz for its space-to-earth feeder links.

#### **I. ICO SUPPORTS THE COMMISSION'S PROPOSALS TO ALLOCATE FREQUENCIES IN THE 5/7 GHZ BAND TO FSS**

ICO fully supports the Commission's proposal to adopt the relevant decisions of recent ITU WRCs regarding FSS allocations in the 5 GHz and 7 GHz frequency ranges allowing for the use of these bands by feeder links to NGSO MSS satellite systems. ICO specifically supports the Commission's proposed changes to 47 C.F.R. § 2.106, Table of Frequency Allocations and the relevant international footnotes to the table of frequency allocations.<sup>4</sup>

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<sup>3</sup> On September 26, 1997, ICO submitted a letter of intent to access 2 GHz MSS frequency bands at 1990-2025 MHz (Earth-to-space) and 2165-2200 MHz (space-to-Earth) in response to a Commission public notice opening a processing round for 2 GHz MSS applicants. On March 19, 1998, the FCC accepted for filing three letters of intent, including ICO's, and six applications. The final round of comments was to be completed on June 18, 1998. File No. 188-SAT-L01-97

<sup>4</sup> *NPRM* at ¶ 16, 22.

In addition, the Commission should endorse the relevant power flux density ("PFD") limits on 7 GHz bands allocated to NGSO MSS feeder link space station emissions as internationally agreed at WRC-95 and re-affirmed at WRC-97. ICO agrees with the Commission that these PFD limits would provide for full protection of terrestrial services in the 7 GHz bands.<sup>5</sup> The Commission also should base the coordination of NGSO MSS feeder link earth stations in the United States in the 5 GHz frequency band on ITU-R Recommendations as adopted at the Radio-Assembly in 1997.<sup>6</sup>

## **II. ICO SUPPORTS THE COMMISSION'S ADOPTION OF WRC-97 COORDINATION THRESHOLDS FOR SERVICE LINKS IN FREQUENCY BANDS 2483.5-2500 MHZ AND 2165-2200 MHZ**

ICO further supports the Commission's proposal to update the U.S. national frequency table by incorporating the relevant decisions of WRC-95 and WRC-97, as agreed by the United States. Specifically, ICO fully supports the Commission's proposals that facilitate the coordination and operation of NGSO MSS systems, including the adoption of the WRC-97 internationally agreed coordination thresholds as set forth in No. S9.11A (Annex 2 to Resolution-46).<sup>7</sup> Article No. S9.11A of the Radio Regulations addresses coordination threshold values for 2 GHz MSS service links as well as for Big

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<sup>5</sup> NPRM at ¶ 22.

<sup>6</sup> NPRM at ¶ 16. See also *Method for Determining Coordination Distances, in the 5GHz Band, Between the International Standard Microwave Landing System Stations Operating in the Aeronautical Radionavigation Service and Non-Geostationary Mobile Satellite Service Stations Providing Feeder Uplink Services*, Recommendation ITU-R S.1342 (1997)

<sup>7</sup> NPRM at ¶ 36; *Final Acts of the World Radiocommunication Conference Geneva, 1997*, Annex 2 to Resolution 46/Rev. WRC-97 (now re-numbered as No. S9.11A).

LEO service links at 2483.5-2500 MHz.<sup>8</sup> ICO supports the FCC's proposal to update the U.S. table by adopting the coordination threshold values for Big LEO service links, but notes that the Commission, in an apparent oversight, fails to propose similarly to update the U.S. table to include the 2165-2200 MHz frequency bands which include the service links for 2 GHz MSS providers. ICO therefore urges the Commission, as a matter of consistency, to adopt into the U.S. national table the internationally agreed coordination thresholds for NGSO MSS satellite emissions in the 2165-2200 MHz frequency bands.

### CONCLUSION

For the foregoing reasons, ICO urges the Commission to adopt expeditiously its proposals regarding FSS feeder link allocations in the 5/7 MHz frequency bands, and to adopt internationally agreed coordination thresholds for MSS service links in the 2165-2200 MHz frequency band.

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Respectfully submitted,

  
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September 21, 1998

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<sup>8</sup> *Id.*

**CERTIFICATE OF SERVICE**

I, James Bucholz, hereby certify that copies of the foregoing COMMENTS OF ICO SERVICES LIMITED were served by hand-delivery this 21st day of September, 1998, upon the following:

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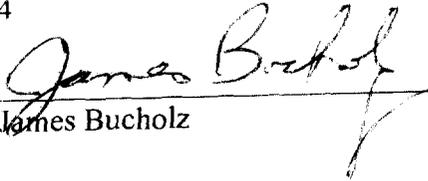
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