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*Via Electronic Filing*

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

Re: Public Notice DA 14-1807, ET Docket No. 13-49

Dear Ms. Dortch:

Globalstar, Inc. (“Globalstar”), through its counsel, hereby comments on the Commission’s December 11, 2014 Public Notice regarding two requests for waiver of its rules from Time Warner Cable Inc. (“Time Warner”) and Comcast Corporation (“Comcast”) in the above-captioned proceeding.<sup>1</sup> Time Warner and Comcast each seek a waiver from rules adopted last year to protect Globalstar’s mobile satellite service (“MSS”) system from harmful aggregate interference from outdoor Unlicensed National Information Infrastructure (“U-NII”) devices operating in the 5.15-5.25 GHz (“U-NII-1”) band.<sup>2</sup>

In its April 1, 2014 *5 GHz Order*, the Commission issued rules that limit the energy that outdoor U-NII-1 access points direct upward so that, in the aggregate, they avoid causing interference to Globalstar’s MSS feeder links operating within the same band.<sup>3</sup> The Commission

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<sup>1</sup> *Office of Engineering and Technology Declares the Time Warner Cable Inc. and the Comcast Corporation Requests for Waiver of Rules to be a “Permit-But-Disclose” Proceeding for Ex Parte Purposes and Requests Comment*, ET Docket No. 13-49, Public Notice, DA 14-1807 (rel. Dec. 11, 2014).

<sup>2</sup> *Revision of Part 15 of the Commission’s Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band*, First Report and Order, 29 FCC Rcd 4127, ¶¶ 41-42 (2014) (“*5 GHz Order*”).

<sup>3</sup> Specifically, the Commission’s U-NII-1 rule allows fixed outdoor U-NII-1 access points at a maximum conducted output power level not to exceed 1 W and a power spectral density (“PSD”) not to exceed 17 dBm/MHz, with an allowance for a 6 dBi antenna gain and a limit of 125 mW EIRP at any elevation angle above 30 degrees measured from the horizon. *5 GHz Order* ¶ 37; 47 C.F.R. § 15.407(a)(1).

further determined that if any already installed U-NII outdoor access points could be modified to operate in the U-NII-1 band, those access points would be subject to a streamlined waiver process as long as those devices could meet certain minimum technical requirements for U-NII-1 operations.<sup>4</sup> This streamlined waiver mechanism did not extend to U-NII access points that were not yet deployed.

In their July 2014 requests, Time Warner and Comcast ask for waivers that would enable the installation of approximately 13,500 new outdoor access points in the U-NII-1 band.<sup>5</sup> These devices would apparently comply with the technical requirements associated with the Commission's streamlined waiver mechanism. Globalstar does not object to a waiver grant for this limited number of compliant outdoor U-NII-1 devices. In any grant, however, the Commission should emphasize the narrow scope of this waiver and make clear that any future waiver requests involving not-yet-installed access points are highly unlikely to be granted and, at a minimum, will be subject to very rigorous scrutiny.

Respectfully submitted,

/s/ Regina M. Keeney  
Regina M. Keeney

cc: Aole Wilkins  
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<sup>4</sup> Under this streamlined waiver process, already installed U-NII-1 access points can operate with up to 250 mW of conducted power and a PSD of 11 dBm/MHz with a 6 dBi gain antenna. *5 GHz Order* ¶ 41.

<sup>5</sup> Request for Waiver of Time Warner Cable, ET Docket No. 13-49 (July 1, 2014); Request for Waiver of Comcast Corporation, ET Docket No. 13-49 (July 29, 2014).