

January 13, 2016

**Ex Parte**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

*Re: Terrestrial Use of the 2473-2495 MHz Band for Low-Power Mobile Broadband Networks; Amendments to Rules for the Ancillary Terrestrial Component of Mobile Satellite Service Systems, IB Docket No. 13-213, RM-11685*

Dear Ms. Dortch,

On January 11, 2016, Paula Boyd of Microsoft Corporation; Michael Warnecke of the Entertainment Software Association (ESA); Rick Chessen of the National Cable & Telecommunications Association (NCTA); Jim Morgan of Sony Electronics Inc.; Russell Fox of Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo, P.C., representing the Wi-Fi Alliance; and I met with Erin McGrath, Legal Advisor for Commissioner O’Rielly. We discussed the above-referenced proceedings.

Specifically, we discussed that demonstrations described by Globalstar, Inc. (Globalstar) on the record do not support Commission approval of the company’s request for new terrestrial spectrum use rights. Globalstar’s filings do not reveal whether the company has fixed the problems that rendered previous demonstrations unreliable. Filings by NCTA, the Bluetooth Special Interest Group, and others following Globalstar’s previous demonstrations describe in detail these flaws, which include: (1) testing transmitters at far lower power levels (200 mW) than would be allowed under the rules Globalstar seeks; (2) using unrepresentative equipment (only enterprise-grade access points with prices over \$1,000); (3) testing only an 802.11 Terrestrial Low Power Service (TLPS) implementation despite the fact that Globalstar has not committed to use an 802.11 standard; and (4) failing to test the impact of TLPS on latency or

jitter.<sup>1</sup> We inquired as to whether Globalstar had repaired these errors in its most recent demonstration.<sup>2</sup>

We also discussed the substantial consequences for consumers if TLPS undermines existing Wi-Fi routers and Bluetooth devices, which would adversely affect the user experience of cloud services, products that are intolerant of latency such as Skype, as well as games, game consoles, and online games and services. We also noted that a mitigation plan based on Globalstar retrospectively addressing interference when it receives complaints is unworkable.

Pursuant to the FCC's rules, I have filed a copy of this notice electronically in the above-referenced proceedings. If you require any additional information please contact the undersigned.

Sincerely,



Paul Margie

cc: Erin McGrath

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<sup>1</sup> See, e.g., Letter from Paula Boyd, Director, Government and Regulatory Affairs, Microsoft Corporation, and Michael Daum, Technology Policy Strategist, Microsoft Corporation, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 13-213 (filed Oct. 29, 2015); Letter from Mark Powell, Executive Director, Bluetooth SIG, Inc., to Marlene H. Dortch, Secretary, FCC, IB Docket No. 13-213 (filed Oct. 23, 2015); Letter from Edgar Figueroa, President and CEO, Wi-Fi Alliance, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 13-213 (filed Oct. 14, 2015); Letter from Michael Warnecke, Chief Counsel, Technology Policy, Entertainment Software Association, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 13-213 and RM-11685 (filed Apr. 20, 2015); Letter from Paul Margie, Counsel to NCTA, Harris, Wiltshire & Grannis LLP, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 13-213 and RM-11685 (filed Apr. 16, 2015); Letter from Aparna Sridhar, Counsel, Google Inc., to Marlene H. Dortch, Secretary, FCC, IB Docket No. 13-213 and RM-11685 (filed Apr. 2, 2015).

<sup>2</sup> In contrast, CableLabs has provided technical analysis on the record that demonstrates that Globalstar's technical claims are unreliable and that "Wi-Fi downlink throughput was reduced by as much as 65% in the presence of TLPS, with the scale of impact dependent on the type of Wi-Fi device, and even more significant impact observed in the presence of additional interferers." Letter from Rob Alderfer, Principal Strategist, CableLabs, to Marlene H. Dortch, Secretary, FCC, at 2, IB Docket No. 13-213 and RM-11685 (filed Apr. 14, 2015).