

March 16, 2016

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Re: IB Docket No. 12-340
Lightsquared Request To Modify Its ATC Authorization

IB Docket No. 11-109
Lightsquared Technical Working Group Report

Dear Ms. Dortch:

The undersigned public interest organizations (collectively “Public Interest Spectrum Coalition” or “PISC”) write to support placing on public notice the application filed on December 31, 2015 by Ligado Networks (formerly Lightsquared). In recent weeks, numerous former opponents of Ligado Networks have written in support of the proposed spectrum agreement between Ligado, the federal government, and the coalition of GPS users.¹ PISC likewise supports the Commission placing the application on public notice as soon as possible.

As the Commission is well aware, the original Lightsquared service rules contained significant public interest obligations suited to Lightsquared’s original service rules and business model. Many of these public interest obligations are either no longer suitable to the new service rules proposed in the application, or require significant modification. As part of the public notice, the Commission should seek comment on how to modify the public interest obligations to serve the original goal of promoting competition, promoting access to spectrum for businesses owned by women and people of color, and promoting deployment of wireless services in rural areas.

PISC believes that there are sufficient grounds in Commission precedent, given appropriate public interest conditions, to forgo assignment by auction.² In light of the relatively modest amount of federal spectrum deployed on an exclusive basis, the spectrum Ligado’s predecessor company gave up to accommodate concerns with regard to the potential impact on GPS, and the enormous difficulty in assigning the spectrum for productive use without upsetting the agreement between Ligado and the GPS community, public interest obligations calculated to provide to the

¹ See, e.g., Letter of M. Anne Swanson, counsel to Garmin International (March 9, 2016); Letter of Catherine Wang, counsel to Deere & Co. (March 7, 2016).

² See Letter of Scott K. Bergman, Vice President, Regulatory Affairs, CTIA (March 7, 2016).

public a return on the exclusive use of the public spectrum asset will provide greater benefit to the public.³

Accordingly, PISC urges the Commission to move expeditiously to place the Ligado Application on Public Notice.

Sincerely,

Harold Feld
Senior Vice President
Public Knowledge

Dee Davis
President
Center for Rural Strategies

Todd O'Boyle
Program Director
Common Cause

Michael Calabrese
Director, Wireless Future Project
New America's Open Technology
Institute

³ Without suitable public interest obligations, an auction would be necessary to avoid unjust enrichment as a consequence of the assignment of federal spectrum on an exclusive basis. *See* 47 U.S.C. § 309(j)(3)(C).