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Mr. Donald Abelson
Chief, International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Mr. Thomas J. Sugrue
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Mr. Edmond J. Thomas
Chief, Office of Engineering and Technology
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: EX PARTE filing of AT&T Wireless Services, Inc.
*Flexibility for Delivery of Communications by Mobile
Satellite Service Providers in the 2 GHz Band, the L-Band,
and the 1.6/2.4 GHz Band*
IB Docket No. 01-185; ET Docket No. 95-18

Dear Messrs. Abelson, Sugrue, and Thomas:

On behalf of AT&T Wireless Services, Inc. (“AWS”), this is written in response to the latest round of ex parte letters submitted by ICO Global Communications (Holdings) Ltd (“ICO”) and Globalstar, L.P. (“Globalstar”) in the above-referenced docket.

Notwithstanding ICO’s and Globalstar’s repeated assertions that grant of their ancillary terrestrial component (“ATC”) requests would allow them to provide a unique, integrated service targeted to rural America, their technical proposals demonstrate that they simply intend to deploy two separate, plain vanilla mobile satellite service (“MSS”) and terrestrial systems. Although the prospect of obtaining spectrum for free can engender many promises, before the Commission devalues previously auctioned spectrum and becomes a party to a massive public resource giveaway, it should carefully scrutinize whether the promises hold any water. As the attached Technical Appendix demonstrates, ICO’s and Globalstar’s promises do not. In particular:

- ICO and Globalstar intend to segment the 2 GHz spectrum between their MSS and terrestrial services, just as the Commission would do if it were to license terrestrial spectrum separately.
- It is undisputed that harmful and cumulative interference from handsets operating in the ATC mode to the MSS uplink channels undermine the efficiency and practicality of operating MSS/terrestrial systems on a co-channel, shared basis.
- ICO's and Globalstar's theories that they could use "dynamic frequency coordination" ("DFC"), geographic separation, and restrictions on subscriber movement to permit co-channel MSS/ATC operations are based on faulty data and untested assumptions.
- Neither ICO nor Globalstar explain how they would go about designing a DFC system that would enable all terrestrial base stations within a moving, million square kilometer satellite beam to engage in repeated split-second frequency changes based on signaling from an MSS control channel. Even if such a system could be designed (which is highly questionable), ICO and Globalstar fail to take into account the extreme service quality degradation that would occur as their base stations hop continuously from channel to channel and the network attempts to reacquire pilot and overhead channels, and power control parameters in the same rapid timeframes.
- And, even assuming that an MSS/ATC system could be designed that would eliminate all co-channel, in-beam frequency use without causing hundreds of calls to be dropped, the ATC proponents ignore the fact that the satellite antenna would still readily capture and aggregate the power from *adjacent* ATC channel use. Thus, DFC would not markedly increase the number of ATC calls that could be placed in the satellite beam coverage area.
- ICO and Globalstar significantly inflate their estimates of how many ATC-mode handsets could be used co-frequency in a satellite beam based on the faulty assumption that most of their ATC subscribers would be "indoors and in urban canyons where line of sight [to the satellite] is not available." While satellite coverage in cities may not be good, neither licensee proposes to tell its subscribers that the ATC-mode handset can only be used inside buildings (and away from windows) or standing at the base of a skyscraper.
- In light of ICO's and Globalstar's admissions that there is significant signal attenuation in any indoor MSS use, their filings raise significant doubt about the viability of MSS service even in rural areas. Since both licensees disavow any intent to deploy ATC base stations in rural or suburban areas, it appears that their highly-touted rural service would be limited to customers that want to stand outside to place or receive calls.

Perhaps recognizing the foregoing weaknesses in the various ATC proposals, ICO devotes much of its latest filing to charges that the terrestrial carriers' opposition to its request somehow constitutes a manipulation of the Commission's processes.^{1/} There is no basis for ICO's allegations. Rather, AWS and other CMRS providers have submitted comments and technical analyses in this docket not through any nefarious attempt to delay a Commission decision on ICO's flexibility request, but to correct the consistently and blatantly erroneous statements made by the ATC proponents in support of their proposals. In particular, while ICO and Globalstar proclaim that ATC authority would save the foundering MSS business, enhance service to rural areas, promote homeland defense, and improve spectrum efficiency, the evidence submitted by AWS, Sprint, Cingular, and Verizon Wireless – as well as the ATC proponents themselves – demonstrates that ICO's and Globalstar's "*fully integrated ATCs*"^{2/} exist only on paper. While "dynamic resource management, multiple satellite beams, and other mitigation measures like voice activation and power control,"^{3/} sound impressive, the fact is that neither ICO nor Globalstar have shown that it would be technically feasible to implement them and, even if so, that they would meaningfully reduce co-channel interference between ATC handsets and MSS uplinks. Instead of making ad hoc and far-reaching spectrum allocation decisions based on the unsupportable claims of two recently-licensed MSS companies, AWS urges the Commission to review the record carefully and weed out the fact from fiction.

Respectfully submitted,

/s/ Douglas I. Brandon

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^{1/} See Letter to Donald Abelson, Chief, International Bureau, Thomas Sugrue, Chief Wireless Telecommunications Bureau, and Edmond J. Thomas, Chief, Office of Engineering and Technology, from Lawrence H. Williams, Senior Vice President, Business Development, ICO, IB Docket No. 01-185; ET Docket No. 95-18 (filed June 13, 2002).

^{2/} *Id.* at 2 (emphasis in original).

^{3/} *Id.* at 3.