

October 25, 2005

Filed Electronically

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: IB Docket No. 05-220
IB Docket No. 05-221

Dear Ms. Dortch:

On September 14, 2005, MSV responded to an Inmarsat claim that it needed to launch a 2 GHz MSS system to provide broadband services because of alleged inadequacies of the L band.¹ While MSV has no direct interest in the 2 GHz proceeding, we were compelled to respond to Inmarsat's baseless allegations concerning the L band. As MSV pointed out, the so-called problems with the L band are of Inmarsat's own creation. Inmarsat's true motivation for deriding the value of L band for advanced, hybrid services and for seeking 2 GHz spectrum appears to be that it is launching new L band satellites that lack the power to provide service to small handheld terminals needed to meet FCC requirements for an integrated hybrid satellite/terrestrial service.²

On September 28, 2005, Inmarsat filed another pleading that continues to deride the value of the L band for advanced services without acknowledging that the real problem is its investment in underpowered L band satellites.³ The fact, however, that Inmarsat cannot provide advanced services in the L band that comply with the Commission's rules is no reason to allow Inmarsat to gain access to 2 GHz frequencies and remove any incentive that it otherwise may have to cooperate in making the L band more useful for broadband services.

¹ See Letter from Randy S. Segal, MSV, to Ms. Marlene H. Dortch, FCC, IB Docket Nos. 05-220, 05-221 (September 14, 2005).

² Inmarsat's recent application for a 2 GHz MSS system shows satellites with roughly five times the power of its newest L band satellites, providing further evidence that Inmarsat now recognizes that the only way it can successfully deploy a hybrid system is with much more powerful satellites than even its newest L band satellites.

³ See Letter from Inmarsat to Ms. Marlene H. Dortch, FCC, IB Docket Nos. 05-220, 05-221 (September 28, 2005).

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Instead of responding to MSV, Inmarsat makes rhetorical claims of L band congestion. If it is experiencing congestion, it is because Inmarsat is refusing to act responsibly in managing its assigned spectrum. For instance, Inmarsat continues to make widespread use of global beams to provide service (so that, for example, service to a single ship in the Atlantic precludes reuse of that spectrum for hundreds of miles in any direction), an inefficient form of spectrum use and one that is specifically discouraged in the Mexico City MOU. Inmarsat should not be allowed to use its own spectrum inefficiencies as an excuse to forestall competition from technical innovators such as MSV.

There is no doubt that Inmarsat is a formidable force in the marketplace and the regulatory arena. Nearly thirty years of operations, during most of which it was owned by PTTs and had a global monopoly, give it an enormous head start over newer companies that are trying to get a foothold in the market. Thus, if regulators want to insure that there is competition in this market, it is imperative that they prevent Inmarsat from bringing that force to bear in a manner that impedes newer entrants. In the case of the L band, that means insisting that Inmarsat participate responsibly in making the most efficient use of the spectrum it operates in and shares in North America, a result that will bring great benefit to the American public. As it has done numerous times in the past, MSV invites Inmarsat to participate in that effort and stands ready to cooperate at any time in increasing the potential of the band for more efficient use.

Very truly yours,

/s/Randy S. Segal

Randy S. Segal

cc: Chairman Kevin J. Martin
Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Fred Campbell
Emily Willeford
John Branscome
John Giusti
Barry Ohlson
Donald Abelson
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