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November 4, 2005

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

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Federal Communications Commission
Office of Secretary

Re: Notice of Ex Parte Presentation
SAT-PPL-20050926-00184
IB Docket Nos. 05-220 and 05-221

Dear Ms. Dortch:

On November 3, 2005, I met with Donald Abelson, Chief of the International Bureau, to discuss issues in the above-captioned proceeding. The issues discussed are reflected in the attached document.

Sincerely yours,

/s/

Diane J. Cornell
Vice President, Government Affairs

cc: Donald Abelson

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2 GHz MSS Solutions

- 2 GHz is a “greenfield” uniquely suited to support next generation multimedia and broadband MSS services
 - Large blocks of contiguous spectrum easily accommodate wideband channels
 - Not constrained by the need to protect existing MSS users who, in the aggregate, have invested billions in their terminal equipment and related communications infrastructures

- If MSV/TerreStar got as much of the 2 GHz band as they seek, they would have almost twice as much MSS spectrum over the Americas as anyone else: ~46 MHz
 - 20 MHz at 2 GHz (2 x 10 MHz)
 - ~26 MHz at L Band (2 x ~13 MHz)

In comparison, over the Americas:

- Inmarsat has ~28 MHz (2 x ~14 MHz) (L Band)
 - Globalstar has ~28 MHz (11.35 MHz & 16.5 MHz) (Big LEO)
 - Iridium has ~8 MHz (1 x 8.25 MHz) (Big LEO)
 - ICO would have 20 MHz (2 x 10 MHz) (if they get what they seek) (2 GHz)
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- The Commission has many better alternatives than creating a duopoly at 2 GHz:
 - Open the newly available 2 GHz MSS spectrum (2 x 12 MHz) for a processing round to accommodate new entrants and possibly allow MSV/TerreStar and ICO to add to their current holdings
 - Determine the amount of spectrum potentially available for any entity (*e.g.*, 2 x 4 MHz or 2 x 5 MHz)
 - Use a modified process to award spectrum rights, based on the first entities to actually launch, until the band is fully subscribed by launched spacecraft

 - If the Commission gives MSV/TerreStar and ICO 2/3 of the 2 GHz band now, as proposed in the June 29 Public Notice, it still could either:
 - Provide Inmarsat access to the remaining 1/3, for the reasons stated in its 2 GHz market access request; or
 - Open a “modified” processing round for the final 1/3, assigning the remaining third of the band to the first applicant to actually launch

 - Decide to keep the returned 2 GHz spectrum for MSS, and initiate a rulemaking proceeding to determine how best to assign it
 - Preserving flexibility for assigning this spectrum makes sense, given
 - how valuable this band is
 - that MSV/TerreStar and ICO have not actually launched