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December 6, 2005

ORIGINAL

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

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DEC - 6 2005

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

Federal Communications Commission
Office of Secretary

Dear Ms. Dortch:

On Monday, December 5, 2005, Diane J. Cornell, Inmarsat's Vice President of Government Affairs, and I, met with Commissioner Adelstein and his Senior Legal Advisor, Barry Ohlson. The enclosed document formed the basis for the conversation.

Sincerely yours,

John P. Janka



cc: Barry Ohlson

Enclosure

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BRASCOE

2 GHz MSS Solutions

- **The full potential of the 2 GHz band can be realized only if the entire MSS allocation is not simply handed over to the two incumbent licensees**
- **2 GHz supports competitive and innovative MSS offerings that will serve critical Disaster Relief, Homeland Security, and consumer needs**
 - Facilitates graphics-rich services, including interactive maps, two-way video, and other personalized communications
 - Supports small, economical, handheld mobile communications devices
 - Enables new communications capabilities for state, local, and federal First Responders
- **2 GHz is uniquely suited to support next generation multimedia and broadband services**
 - Its large blocks of contiguous spectrum accommodate wideband channels that can use the same types of technologies as emerging *terrestrial* wireless broadband networks, enabling cost savings and other efficiencies in equipment design
 - Unconstrained by the existing infrastructure and services in other MSS bands in which billions already have been invested
- **Allowing other MSS operators (with established track records) to participate at 2 GHz will ultimately *speed* service and increase competitive choices**
 - For Public Safety, other Disaster Relief/Homeland Security users, and consumers alike
 - In contrast, the failure of just one of the two 2 GHz incumbents to deploy would leave the public without a competitive alternative
 - This is why the Commission does not license to duopoly in a nascent band
- **If MSV/TerreStar got as much of the 2 GHz band as they seek, they would have 46 MHz -- almost twice as much spectrum over the Americas as any other MSS provider**
- **The Commission has many better alternatives than creating a duopoly at 2 GHz:**
 - Open the newly available 2 x 12 MHz to new MSS entrants
 - Determine the amount of spectrum available for anyone (*e.g.*, 2 x 4 or 2 x 5 MHz)
 - Use a modified process to award spectrum, to the first 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, either:
 - Provide Inmarsat access to the remaining 1/3, or
 - Open a “modified” processing round for the final 1/3, assigning the remaining 1/3 to the first applicant to actually launch
 - 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 neither MSV/TerreStar nor ICO is close to actually launching