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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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Federal Communications Commission  
Office of Secretary

In the Matter of	)	
	)	
Request by Globalstar, Inc. To Expand	)	IB Docket No. _____
Its Ancillary Terrestrial Component ("ATC")	)	
Authority To Encompass Its Full Assigned	)	
Spectrum	)	

**GLOBALSTAR PETITION FOR EXPEDITED RULEMAKING  
FOR AUTHORIZATION TO PROVIDE ANCILLARY TERRESTRIAL  
COMPONENT SERVICES IN ITS ENTIRE SPECTRUM ALLOCATION**

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## SUMMARY

Globalstar, Inc. (“Globalstar”) requests that the Commission end the disparate treatment of mobile satellite services (“MSS”) licensees and enhance competition in the MSS marketplace by authorizing Globalstar to use all of its MSS spectrum for ancillary terrestrial component (“ATC”) services. Globalstar was granted ATC authority in January 2006, and it has already taken substantial steps towards developing and funding its MSS/ATC network. Now, as Globalstar anticipates deploying its ATC service, it urges the Commission to initiate a rulemaking proceeding to revise section 25.149(a)(iii) of its rules to allow Globalstar to use all of its assigned spectrum in the 1610-1621.35 and 2483.5-2500 MHz bands to provide ATC services. Currently, Globalstar is the only MSS provider that is not permitted to use all of its MSS spectrum allocation for ATC. Not only does this unequal treatment hinder Globalstar’s ability to grow and develop its MSS/ATC network, it also undermines the very goals that the Commission sought to advance when it adopted the ATC rules: encouraging the flexible use of spectrum and ubiquitous wireless coverage within the United States to ensure reliable communications during times of emergency.

Globalstar’s satellite communications services have proven to be a vital component of the nation’s communications infrastructure. This fact was made evident in the aftermath of the 2004 and 2005 hurricanes, when Globalstar’s system remained intact and served as the primary, if not the only, communications link for many federal and state agencies operating in the affected regions. As the public has come to realize, MSS systems generally are unaffected by disasters that disrupt terrestrial communications. This inherent quality has proven essential for first responders, emergency service providers, the military, and many other federal and state agencies. Once deployed, Globalstar’s MSS/ATC network will enable Globalstar to provide truly

ubiquitous coverage to rural and remotes areas, as well as dense urban areas and indoors where satellite signals are typically blocked. As Globalstar continues to serve an expanding number of public safety officials and commercial customers who need reliable communications capability in remote areas, it is vital that Globalstar have the flexibility to use its spectrum in the most efficient manner.

It is essential that Globalstar be given authority to use all of its MSS spectrum for its MSS/ATC network. Under the Commission's ATC rules, all MSS providers except for Globalstar are permitted to use their entire MSS spectrum allocation for ATC. Presently, Globalstar is permitted to use only 11 MHz of its 27.85 MHz MSS spectrum allocation for ATC. This is well short of the 20-28+ MHz of spectrum that each of Globalstar's MSS competitors is permitted to use for ATC. Recently the Commission stated that it views the MSS market to be made up of all of the providers in the various MSS bands; in light of this assessment of the MSS marketplace, the Commission's disparate treatment of Globalstar vis-à-vis all other MSS carriers can no longer be justified. Ultimately Globalstar's limited ATC spectrum will hamper its ability fully to serve the needs of its public safety and commercial customers. The needs of these customers and the public interest require that Globalstar be placed on equal footing with its competitors.

There is no practical or technical reason for preventing Globalstar from using all of its assigned spectrum for ATC services. The Commission's apparent rationale for limiting Globalstar's ATC allocation in the original ATC Order no longer applies – the proceedings that the Commission did not wish to prejudice now have been decided. Even at that point, the Commission required Globalstar's equipment to be tunable across the entire S-band. And, there are no legitimate technical justifications for limiting the amount of its assigned spectrum

Globalstar may use for ATC services. Globalstar will operate its system, as it always has, without causing interference to in-band and adjacent band licensees either in the U.S. or abroad. If Globalstar is able to use all of its assigned spectrum flexibly for ATC services, it will be able more easily to ensure that its MSS/ATC operations will operate compatibly with the many other licensees in and adjacent to its band assignments.

Given the vital role MSS/ATC networks will play for public safety and the need for Globalstar to fund and develop its ATC system, the Commission should act expeditiously to expand Globalstar's ATC authorization to encompass all of its assigned spectrum.

emergency. Expansion of Globalstar's ATC authority to cover all of its assigned spectrum is necessary also to place Globalstar on an equal footing with every other MSS provider, each of which has access to its full MSS spectrum allocation to provide ATC services. In light of Globalstar's proven track record of avoiding interference to other licensed operations in its assigned spectrum, and its commitment to be bound by a requirement that its provision of ATC services not cause interference to other licensed operations, there is no legitimate justification for continuing to prohibit Globalstar from taking advantage of its full spectrum allocation for ATC. Because of the vital role that Globalstar's ATC services play in meeting the needs of first responders, Globalstar requests expedited action on this petition.

**I. GLOBALSTAR PROVIDES VITAL COMMUNICATIONS SERVICES TO A GROWING NUMBER OF FIRST RESPONDERS AND OTHER PUBLIC SAFETY OFFICIALS.**

Globalstar is now in its seventh year of providing MSS voice and data services.

Globalstar's services are currently available in all areas of the world, except central and southern Africa, Southeast Asia, and the Indian subcontinent, areas in which Globalstar is in the process of negotiating to expand coverage. As of May 31, 2006, Globalstar had approximately 227,000 subscribers in more than 120 countries, which reflects accelerating subscriber growth rates, from an already rapid compound annual subscriber growth rate since 2003 of 32 percent to a rate of 51 percent from May 2005 to May 2006. A significant number of Globalstar's customers are first responders and other public safety officials who rely, with increasingly frequency, on Globalstar's products and services to meet their day-to-day communications needs, and, more importantly, to ensure that they have operable communications systems during times of emergency. Globalstar's services proved their value in the 2005 hurricane season, during which Globalstar took extensive measures to ensure that its products were available to local, state, and

federal public safety officials in the areas affected by the storms.<sup>3/</sup> Globalstar provided uninterrupted voice and data communications services to federal, state, and local public safety officials in the affected areas. Because of those services, thousands of first responders and other public safety officials whose other means of communication had been destroyed were able to communicate among themselves and with the outside world. Building on lessons learned in 2005, and by request from certain federal agencies, Globalstar already has prepositioned equipment in distribution centers in anticipation of the 2006 hurricane season in the Southeastern United States.

The effectiveness of Globalstar's MSS services in such stressed conditions rests on the fact that – as an MSS system – Globalstar's satellite constellation is largely unaffected by ground-based disasters that can disrupt terrestrial services. But this effectiveness reflects also the

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<sup>3/</sup> Among other steps taken to ensure that reliable communications networks were available to all who needed them, Globalstar prepositioned handsets and other equipment to strategic locations in advance of Hurricane Katrina and reallocated the coverage footprints of its Texas and Florida Gateway earth stations to increase capacity in the Gulf Coast region. Globalstar also directed its network operations team continually to monitor usage patterns during the storm to ensure that the Globalstar system could effectively manage the significant increases in traffic. In addition, immediately following the hurricane, Globalstar increased its available network capacity in the affected areas by 60 percent; activated and deployed an additional 10,000 handsets to FEMA and other state and federal agencies and commercial and retail customers affected by the hurricane; hand-delivered handsets to the Governors' offices in Louisiana and Mississippi; deployed approximately 2,000 simplex data terminals for use by FEMA and other agencies to track assets such as food trailers and power generators; doubled its capacity to handle calls from Globalstar handsets to landline phones; and designed and delivered to FEMA four transportable "Globalstar Emergency Management Communications Systems," which mate GSM cell phones with a Globalstar fixed phone to provide backhaul to create self-contained local area networks. See Statement of James Monroe III, Chief Executive Office, Globalstar LLC, before the Federal Communications Commission Independent Panel Reviewing the Impact of Hurricane Katrina, at 2-3 (Mar. 6, 2006) available at <http://www.fcc.gov/eb/hkip/GSpeakers060306/ACT1050.pdf>, ("Globalstar Hurricane Katrina Panel Testimony"). See also Comments of Globalstar submitted to the Federal Communications Commission Independent Panel Reviewing the Impact of Hurricane Katrina, Pub. Notice DA 06-57, (Jan. 27, 2006) available at <http://www.fcc.gov/eb/hkip/PubCom/Globalstar.pdf>.

[during Hurricane Katrina], [Globalstar's] satellite phones are now a part of the State Emergency Response Team deployment package for future emergencies."<sup>7/</sup> In addition, the press and the public have recognized the immense value of Globalstar's services in meeting the communications needs created by disasters such as the Gulf hurricanes.<sup>8/</sup> President Bush has personally praised Globalstar's role in the hurricane response.<sup>9/</sup>

In the months since last summer's storms, Globalstar has taken additional steps to make certain that its first responder customers will be able to realize the full capabilities of its services in future emergencies, including outreach initiatives to educate public safety officials on how effectively to use satellite handsets and other equipment and the initiation of special service plans that make Globalstar's services even more cost effective than they already were.<sup>10/</sup> Following Hurricane Katrina, the Commission chartered its Independent Panel Reviewing the Impact of

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<sup>7/</sup> Barbour Letter, *supra* note 4, Att. C.

<sup>8/</sup> See, e.g., *Crisis on the Gulf Coast: When Satellite Was the Only Game in Town*, VIA SATELLITE, Jan. 2, 2006 ("Globalstar doubled its capacity to make calls to landline phones, increased its active spectrum allocation via special temporary authorities granted by the U.S. Federal Communications Commission (FCC), and allocated gateway coverage footprints to increase capacity in the affected area to manage the unprecedented surge in users"); Paul Davidson, *Satellite Phones Provide Critical Link to Outside World*, USA TODAY, Sept. 6, 2006 (noting that Globalstar "sold more than 11,000 phones and leased 1,000 more" immediately following Hurricane Katrina); *Satellite Phones Critical to Katrina Relief Efforts*, SATELLITE WEEK, Sept. 5, 2006 (noting that Globalstar saw "increased usage...from response agencies at all levels" in the aftermath of the hurricanes).

<sup>9/</sup> See Letter from President George W. Bush to Globalstar (Nov. 21, 2005) (Attached as Att. D).

<sup>10/</sup> See, e.g., *Globalstar Launches Emergency Satellite Rate Plan*, Press Release of March 2, 2006, available at [http://www.globalstarusa.com/en/about/newsevents/press\\_display.php?pressId=62](http://www.globalstarusa.com/en/about/newsevents/press_display.php?pressId=62).

Hurricane Katrina on Communications Networks (the "Panel").<sup>11/</sup> Interested persons were invited to contribute written comments before the Panel's first meeting on January 30, 2006. Globalstar submitted written, substantive comments recounting its experience in the aftermath of Katrina. The Panel invited written comments before its second meeting on March 6. Not only did Globalstar prepare and submit written testimony, its Chairman and Chief Executive Officer traveled to Jackson, MS, to deliver the testimony in person.<sup>12/</sup> In its testimony before the Panel, Globalstar highlighted the outreach efforts that it has taken to ensure that its first responder customers will be best prepared for future emergencies, and it made specific recommendations regarding steps that the public safety community can take to make better use of MSS technologies in emergency situations.<sup>13/</sup> Globalstar believes these steps are vital as the 2006 hurricane season begins.

## **II. GLOBALSTAR'S MSS/ATC SYSTEM WILL PROVIDE ENORMOUS BENEFITS TO GLOBALSTAR'S PUBLIC SAFETY AND COMMERCIAL CUSTOMERS.**

Globalstar was the second MSS licensee to apply for authority to integrate an Ancillary Terrestrial Component ("ATC") into its MSS system. The Commission granted Globalstar's

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<sup>11/</sup> See "Notice of Appointment of Members To Serve on Federal Communications Commission's Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks; and Independent Panel's First Meeting Scheduled for January 30, 2006," Pub. Notice, DA 06-57 (rel. Jan. 12, 2006).

<sup>12/</sup> See Globalstar Hurricane Katrina Panel Testimony.

<sup>13/</sup> *Id.* at 4-6. Specifically, Globalstar recommended that first responders (1) ensure that their personnel receive advance training in proper use of MSS equipment; (2) establish pre-emergency deployment plans to distribute satellite equipment rapidly to those who will need it; (3) obtain funding approval to purchase MSS technologies in advance of emergencies; and (4) educate themselves concerning the wide variety of advanced MSS technologies that are available for emergency preparedness.

application in January 2006.<sup>14/</sup> In the short time since that Commission action, Globalstar has taken many concrete steps toward deploying ATC services. For example, in addition to conducting engineering tests and customer surveys on potential ATC technologies and services, Globalstar is architecting its next-generation satellites to best limit mutual interference between the MSS and ATC components. In parallel with these engineering analyses, Globalstar also is in active business negotiations relating to deployment of ATC. Globalstar is in discussions with various wireless, voice, broadband data, and multimedia service providers to establish new services that will fully use the ATC capability and provide service to a maximum number of subscribers throughout the United States. And Globalstar's principal handset developer is analyzing designs for an MSS/ATC phone.

At present, Globalstar is the only MSS licensee capable of seamlessly incorporating ATC into its existing, first-generation MSS system in full compliance with all of the relevant terms and conditions in the Commission's ATC rules. In fact, Globalstar already has proven the ease with which ATC services can be integrated into its MSS system in a series of demonstrations in New York and Washington in the summer of 2002, conducted pursuant to its ATC experimental license (Call Sign WC2XXD). In those demonstrations, Globalstar used a transportable base station no larger than a suitcase and modified Telit 550 dual mode Globalstar/GSM phones to enable demonstration participants to place calls to anywhere in the world through the base station and the satellite system into the public switched telephone network.<sup>15/</sup>

Although Globalstar's ATC network is still in the development stage, the type of benefits that it will bring to Globalstar's public safety and other customers have already been proved in

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<sup>14/</sup> See *Globalstar ATC Authorization*.

<sup>15/</sup> *Id.* ¶ 16.

practice. As noted above, in response to the communications crisis following Hurricane Katrina, Globalstar built four “Globalstar Emergency Management Communications Systems” (“GEMCOMS”) and shipped them to FEMA in Louisiana. These units, about the size of a large ice chest, which fit in the back of a pickup truck or SUV or in a small boat, were configured with Globalstar Fixed Access Units (“FAUs”) and GSM cellular picocells, which are devices about the size of a dinner plate two inches thick. Two picocells were connected to the FAUs through a small PC not much bigger than a laptop. The PC provides all the functionality of a cellular base station. Adding more ports on the PC could create additional picocells. When two picocells are connected to the FAUs, the unit is capable of processing fifteen simultaneous cellular-to-cellular calls, essentially creating a small local area network, capable of handling six simultaneous cellular-to-satellite calls, five simultaneous cellular-to-satellite calls and one 9.6 kbps data “call,” or a combination of cellular-to-cellular and cellular-to-satellite calls, allowing for deployment in an emergency so that a group of first responders can communicate with each other, and the outside world. Globalstar’s ATC plan will enable the company to offer analogous capabilities anywhere they are needed, using existing technology at relatively low cost.

Globalstar’s MSS/ATC network will make possible an array of new products and services that will be of enormous benefit to its public safety and commercial customers. Although the realm of possible MSS/ATC services continues to expand as technologies evolve, among other potential services, Globalstar’s MSS/ATC network will make possible –

- truly ubiquitous wireless voice, broadband, and multi-media services;
- video transmission services delivered over satellite with local network coverage provided via terrestrial stations;

- large footprint WiFi-type services using Globalstar's licensed as well as unlicensed spectrum;<sup>16/</sup>
- interactive multimedia services to fixed and mobile users;
- interactive services to complement Direct Broadcast Satellite and cable broadcasting services; and
- an all-IP overlay network for terrestrial partners who currently offer voice services.

These MSS/ATC services will dramatically increase the utility of Globalstar's services to Globalstar's public safety and commercial customers. In urban areas, ATC will provide to public safety and law enforcement organizations the fulltime communications capability they badly need. The Committee on Homeland Security and Government Affairs has recognized that one of the primary impediments to the full utilization of satellite phones by first responders on the scene of natural disasters and other emergencies has been the fact that buildings and other structures can block the satellite signal.<sup>17/</sup> Once deployed, ATC capabilities will eliminate this problem, so that emergency personnel will be able to maintain uninterrupted communication no matter where they are. Consequently, in the event of a disaster in an urban area, emergency personnel on the Globalstar MSS/ATC system (employing ATC base stations, mobile base

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<sup>16/</sup> In one model under consideration, Globalstar would serve mobile end-users with WiFi cards in their laptops, while connecting the WiFi access points to cellular base stations using ATC frequencies in urban areas and satellite frequencies in rural areas.

<sup>17/</sup> See "Hurricane Katrina: A Nation Still Unprepared," Report of the Committee on Homeland Security and Governmental Affairs, United States Senate, Washington, DC, at 329 (2006) available at [http://hsgac.senate.gov/\\_files/Katrina/FullReport.pdf](http://hsgac.senate.gov/_files/Katrina/FullReport.pdf). ("The problems with satellite phones [used in the aftermath of the storm] do not appear to have been caused by the phones themselves or the satellite networks; rather, a combination of user error *and buildings or other objects obstructing satellite signals are the more likely culprits.*")

stations, and the satellite system<sup>18/</sup> – as opposed to solely terrestrial infrastructure) will be able to communicate locally and nationwide or worldwide without having to rely on the possibly crippled local telecommunications infrastructure. Similarly, Globalstar’s commercial customers in urban areas, many of whom have learned first-hand during the 2001 terrorist attacks and the 2004 and 2005 hurricane seasons how important reliable, redundant communications networks are, will be able to rely on Globalstar’s MSS/ATC services to communicate when terrestrial networks are no longer functioning because of manmade or natural disasters.<sup>19/</sup> As is the case with Globalstar’s satellite services, Globalstar’s MSS/ATC services and phones will be priced at levels that consumers of terrestrial wireless services and equipment have come to expect.

Globalstar’s MSS/ATC network will also provide vital services in rural and remote areas, for the benefit of public safety and other customers. As discussed above, Globalstar already has demonstrated how the Globalstar network can support the deployment of transportable base stations that can be set up quickly and put to use at relatively low cost. Such transportable base stations will provide vital telecommunications capabilities to first responders and other public safety personnel in areas that are unserved or underserved by existing wireline and wireless services (such as Native American tribal communities or national forests), or where such services are disrupted because of natural or manmade disasters. The customers will be able to use Globalstar’s transportable MSS/ATC systems to meet their immediate communications needs in the event of emergencies such as forest fires, earthquakes, pandemics, or terrorist attacks.

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<sup>18/</sup> For use as a backhaul link, the satellite transmitter would still require a clear line of sight to the satellites.

<sup>19/</sup> See, e.g., Dick Kelsey, *Satellite Phone Interest Renewed After Attack Rescue Use*, Newsbytes News Network, Sept. 25, 2001 (noting the “enormous interest” in Globalstar’s services from companies re-evaluating their communications capabilities in case of emergency following the September 11<sup>th</sup> terrorist attacks).

Globalstar's MSS/ATC network also particularly will benefit Globalstar's military customers. Globalstar's MSS service already has been widely used by both military and civilian customers in the Middle East and Southwest Asia during the conflicts in Iraq and Afghanistan, to compensate for the absence or limited reliability of terrestrial wireless infrastructures. Globalstar plans to establish relatively inexpensive local area networks that are MSS/ATC capable in these areas, thereby facilitating better communications and contributing to the success of current and future military missions.

At the same time, Globalstar's commercial customers that are located in rural and remote areas will be able to rely on Globalstar's MSS/ATC services and products to meet their communications needs. A variety of customers located in remote areas, including aviators, utilities, forestry companies, oil exploration and transport companies, maritime customers, and cargo tracking companies already use Globalstar as their provider of choice because of Globalstar's ability to provide ubiquitous coverage that is far less expensive than satellite services provided by Very Small Aperture Terminals ("VSATs") operating in the Fixed-Satellite Service. Once Globalstar's MSS/ATC system is deployed, the range of services that Globalstar will be able to offer such customers will dramatically expand. Globalstar will be able to deploy ATC base stations in rural and remote areas that can be used to provide local and long distance telephone service, as well as broadband, fax, and data services to a large number of customers for relatively low cost.<sup>20/</sup> Most importantly, Globalstar's MSS/ATC network will provide affordable Internet access for rural and underserved customers.

Finally, by deploying ATC services, Globalstar will be able to achieve dramatic gains in spectrum efficiency – to get the most use out of its assigned spectrum. ATC will permit higher

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<sup>20/</sup> See *Globalstar ATC Authorization* at 407 ¶ 25.

density use of Globalstar's MSS spectrum within a specific geographic area – effectively thousands of simultaneous voice-equivalent users per channel through reuse of frequencies across relatively short distances between base stations, versus approximately 60 simultaneous voice-equivalent users per channel in satellite mode. And by integrating an ATC component with its existing MSS system, Globalstar will be able to reuse its frequencies more intensively and thus support a much larger number of public safety and commercial customers on a day-to-day basis and during emergencies.

Accordingly, it is clear that, having been granted ATC authority, Globalstar is poised to bring to the marketplace the high-quality, affordable mobile services for its current and future public safety and commercial customers – no matter where they are located – that the Commission envisioned when it decided to permit MSS providers to incorporate ATC into their MSS systems.<sup>21/</sup>

**III. IF GLOBALSTAR IS TO MEET FULLY THE NEEDS OF ITS PUBLIC SAFETY AND COMMERCIAL CUSTOMERS, IT REQUIRES THE AUTHORITY TO USE ALL OF ITS ASSIGNED SPECTRUM FOR ATC SERVICES.**

At present, and only because of the chronological order in which the Commission decided several overlapping proceedings, Globalstar is authorized to provide ATC services on only 11 MHz of its 27.85 MHz MSS spectrum allocation. In light of the enormous public safety and consumer benefits that Globalstar's MSS/ATC system will provide, as well as the growing demand for Globalstar's services by first responders, other local, state, and federal public safety entities, and commercial customers, the public interest will be best served if Globalstar's ATC

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<sup>21/</sup> See Report and Order and Notice of Proposed Rulemaking, *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 Bands; Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands*, 18 FCC Rcd 1962 (2003) (“ATC Report and Order”).

authorization is modified to allow Globalstar to offer MSS/ATC services in its full assigned spectrum.

As the Commission stated in adopting the ATC rules,

ATC-enabled MSS systems may provide additional communications options and, therefore, offer our nation greater protection in times of crisis or disaster than traditional MSS systems alone. By offering ubiquitous coverage with instant, nationwide interoperability, ATC-enhanced MSS may make the public, law enforcement and public-safety organizations easier to reach in the field, regardless of location. Accordingly, MSS ATC may enhance the nation's overall ability to maintain critical telecommunications infrastructure in times of crisis or disaster.<sup>22/</sup>

By granting Globalstar the authority to increase the number of channels on which ATC services are permitted from 11 MHz to the full 27.85 MHz of spectrum for which it is licensed, the Commission will enable Globalstar to ensure that its spectrum will be used to its maximum potential to fulfill all of the benefits the Commission envisioned when it authorized MSS carriers to offer ATC in the first place. In particular, allowing Globalstar to use all of its assigned spectrum for MSS/ATC services will, among other benefits, (1) dramatically "increase the efficiency" of Globalstar's spectrum use and enable Globalstar to provide better coverage in urban areas and utilize large channels so support new bandwidth intensive third party services; (2) enable Globalstar to further "reduce costs, eliminate inefficiencies and enhance [the] operational abilit[ies]" of its MSS system; (3) provide additional communications that will further "enhance public protection;" and (4) "strengthen competition" in the marketplace for wireless voice, data, and broadband services.<sup>23/</sup> In addition, much of Globalstar's MSS spectrum is subject to regulatory requirements that mandate sharing or protection of other in-band and out-of-band licensees. By expanding Globalstar's ATC authorization, the Commission will enable

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<sup>22/</sup> *ATC Report and Order* at 1979 ¶ 29.

<sup>23/</sup> *Id.*

Globalstar to assign channels for MSS and ATC in a manner best calculated to balance geographic and time-of-day demand and achieve increased flexibility in service offerings, while still protecting co-frequency and adjacent licensees from harmful interference.

#### **IV. THE PUBLIC INTEREST AND THE LAW REQUIRE EQUITABLE TREATMENT OF ALL SIMILARLY SITUATED LICENSEES.**

Globalstar is the only MSS provider that is not yet permitted to use all of its spectrum for ATC services. In other words, the Commission placed Globalstar at a distinct disadvantage in comparison to its fellow MSS providers when it first adopted the ATC rules. The *ATC Report and Order* grants Globalstar the right to use only 11 MHz of its MSS spectrum for ATC operations – in contrast to the 20-28+ MHz of spectrum permitted for ATC use by the 2 GHz and L-band MSS providers (all of their assigned spectrum in each case).<sup>24/</sup> This limitation on Globalstar's ATC authorization is unsupported by the record developed in the Commission's ATC rulemaking decisions, places Globalstar at a competitive disadvantage relative to all other MSS licensees, and is contrary to the Commission's goals of effective and efficient use of the spectrum as embodied in the ATC program.<sup>25/</sup>

To the extent that the Commission expressed any rationale for this limitation in its 2003 *ATC Report and Order*, that rationale has not survived the ensuing three years. The Commission should eliminate the handicap it has placed on Globalstar's continued growth and ability to attract customers and investors and permit Globalstar to use its full assigned spectrum for ATC services. This action will ensure a truly competitive environment for ATC services, in which all

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<sup>24/</sup> See *id.*; 47 C.F.R. § 25.149(a)(2).

<sup>25/</sup> *ATC Report and Order* at 1980 ¶ 32 (“While sound spectrum management principles support grant of MSS ATC, granting additional flexibility in the provision of MSS to the public also has the advantage of reinforcing the potential public-interest benefits of MSS itself.”).

competitors will be on a more equal footing and in which the full public benefits of MSS/ATC networks can be realized.

**A. Section 25.149 of the Commission's Rules Authorizing MSS Providers To Implement ATC Fails To Treat all MSS Licensees Equally.**

Globalstar is the only MSS provider barred from using its full MSS spectrum for ATC. The ATC rules permit 2 GHz and L-band MSS providers to use their entire assigned bands for ATC operations.<sup>26/</sup> Thus, each of the 2 GHz providers may use its full 20 MHz of spectrum, and each of the L-band MSS providers may use all of its coordinated spectrum for ATC, which in the case of Inmarsat and MSV appears to be 28-30 MHz.<sup>27/</sup> In comparison, the ATC rules permit Globalstar to use only 11 MHz of its 27.85 MHz of allocated MSS spectrum.<sup>28/</sup>

The Commission's sole justification for hindering Globalstar's ATC use was "[t]o avoid any possible prejudice to the outcome of allocation and assignment decisions under consideration in the Notice of Proposed Rulemaking adopted [with the *ATC Report and Order*]."<sup>29/</sup> Those open decisions related to Iridium's request for authority to share a portion of Globalstar's spectrum and the possible reallocation of spectrum in the 2483.5-2500 MHz band. Since the *ATC Report and Order* was issued, the Commission has authorized Iridium to share 3.1 MHz of Globalstar's spectrum at 1618.25-1621.35 MHz and created a new fixed and mobile ("BAS" and

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<sup>26/</sup> See 47 C.F.R. § 25.149(a)(2)(i).

<sup>27/</sup> See 47 C.F.R. § 25.149(a)(2)(ii). See also *DirectTV, EchoStar RFI Targets Wireless Broadband Network*, Communications Daily, Dec. 5, 2005 (MSV and Inmarsat "are MSS's high fliers over the U.S., with around 30 MHz of spectrum each.").

<sup>28/</sup> See 47 C.F.R. § 25.149(a)(2)(iii).

<sup>29/</sup> *ATC Report and Order* at 2011 ¶ 93.

“BRS”) spectrum allocation in the 2495-2500 MHz band.<sup>30/</sup> Now that these proceedings have been essentially completed, there is no further reason for continuing to place restrictions on Globalstar’s ability to use all of its spectrum for ATC services. Indeed, in adopting rules to govern Globalstar’s ATC operations in the S-band, the Commission went so far as to *require* that Globalstar’s ATC base stations be tunable across the entire 2483.50-2500 MHz MSS allocation so as not to delay Globalstar’s deployment of ATC services while the rules were being finalized.<sup>31/</sup>

In addition, subsequent experience has revealed a number of things. First, Iridium’s asserted need for additional spectrum, which the Commission found to be “sporadic and geographically-based,”<sup>32/</sup> appears to be nonexistent in the United States at least. Globalstar, which can detect the presence of all signals in the 1610-1626.5 MHz band, detects little Iridium use of the 3.1 MHz on which the Commission has ordered sharing,<sup>33/</sup> and Iridium has produced no technical showing of any need to share additional spectrum.<sup>34/</sup>

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<sup>30/</sup> See Report and Order, Fourth Report and Order and Further Notice of Proposed Rulemaking, *Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Systems in the 1.6/2.4 GHz Bands*, 19 FCC Rcd 13356 (2004) (“*Big LEO Spectrum Sharing Order*”). Iridium’s request to share an additional 2.25 MHz of the L-band spectrum, which Globalstar has vigorously opposed, remains pending in IB Docket No. 02-364. See *id.* at 13378 ¶ 48.

<sup>31/</sup> See *id.* at 2057 ¶ 193.

<sup>32/</sup> *Id.*

<sup>33/</sup> See Letter to Marlene H. Dortch, Secretary, Federal Communications Commission, from William T. Lake, Counsel to Globalstar, filed in IB Docket No. 02-364 (Apr. 7, 2006).

<sup>34/</sup> See Globalstar LLC, Petition for Reconsideration, IB Docket No. 02-364, ET Docket No. 00-258 (filed Sept. 8, 2004); Globalstar LLC, Reply to Opposition of Iridium Satellite LLC, IB Docket No. 02-364, ET Docket No. 00-258 (filed Nov. 10, 2004); L/Q Licensee, Inc., Globalstar, L.P., and Globalstar USA LLC., Joint Reply Comments, Att. A, Technical Analysis (filed July 25, 2003).

Second, and equally important, despite multiple in-band and adjacent band licensed and unlicensed users in its spectrum, Globalstar repeatedly has proven its ability to operate without causing interference to others.<sup>35/</sup> Globalstar's effective spectrum management practices have enabled it to use its spectrum without causing harmful interference to other users, and to avoid receiving harmful interference from them.<sup>36/</sup> To the extent that the Commission may have been concerned in 2003 that granting Globalstar broader ATC rights might be incompatible with other possible in-band or adjacent-band uses of spectrum, time has shown that concern to be misplaced. Existing and potential future spectrum-sharing or out-of-band protection requirements are not a reason to limit Globalstar's, and only Globalstar's, ATC authority. Globalstar will exercise its ATC authority, as it has operated its MSS services, in full compliance with any and all noninterference obligations that the Commission may impose on it.

Potential interference issues were known to the Commission when it first authorized ATC, and the Commission dealt with those potential issues them as we recommend here: by establishing appropriate ground rules. Specifically, in authorizing Big LEO MSS operators to provide ATC services, the Commission considered the concerns commenters raised about possible interference and concluded that coordination and the adoption of emission level limits would effectively eliminate the possibility of harmful interference.<sup>37/</sup> Thus the Commission's ATC rules establish strict emission limits and operational requirements designed to prevent Big LEO ATC operations from interfering with in-band and adjacent band users – which would

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<sup>35/</sup> See *Big LEO Spectrum Sharing Order* at 13378 ¶ 48. See also Att. B, Globalstar Service Link Frequencies.

<sup>36/</sup> See *infra* Section V.

<sup>37/</sup> See *ATC Report and Order* at 2057-63, ¶¶ 194-206.

equally apply to Globalstar's ATC operations in its full spectrum authorization.<sup>38/</sup> Furthermore, the Commission has acknowledged that it originally limited the Big LEO ATC spectrum range, not due to any "technical limitations," but rather, as noted above, to avoid any prejudice to the proposed rulemaking begun with the *ATC Report and Order*.<sup>39/</sup> That rulemaking, as noted, is now essentially completed.

As the Commission is aware, as a condition to obtaining approval to offer ATC services, Globalstar agreed, at the request of NTIA, to abide by stricter limits than the FCC has imposed for its ATC operations in the L-band to reduce the possibility of interference with adjacent Radionavigation Satellite Service ("RNSS") operations.<sup>40/</sup> The technical requirements imposed by the Commission's ATC rules to avoid interference to competing users, as well as the ability of the Commission to consider and incorporate any stricter operational limits that can be shown to be necessary into any grant of ATC authority, provide further justification for lifting the restriction on the amount of spectrum that Globalstar may use to provide ATC services.<sup>41/</sup>

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<sup>38/</sup> See *ATC Report and Order* at 2059-63, ¶¶ 197-206. Furthermore, ATC authority in the S-band will not change Globalstar's coordination obligations and the formal procedure for filing a complaint with the Commission if ATC operations should cause interference. See *Big LEO Spectrum Sharing Order* at 13389-90, ¶ 75.

<sup>39/</sup> See *id.* at 2057 ¶ 192; *Big LEO Spectrum Sharing Order* at 13390, ¶ 76.

<sup>40/</sup> See *Globalstar ATC Authorization* at 405-07, ¶¶ 21-24.

<sup>41/</sup> The Commission's initial 11 MHz authorization for Big LEO ATC operations may have been intended to establish some sort of parity between Globalstar and Iridium, which has its uplinks and downlinks in the same 5.5 MHz of spectrum. To the extent that the Commission relied on such a rationale, however, there is no basis in the record for keeping that limitation in place. Iridium's chosen technical design prevents it from ever deploying ATC services with its current satellite system. See *ATC Report and Order* at 1998 ¶ 63. Thus, the proper comparison is between Globalstar's ATC authorization and those of the MSS providers who will be its ATC competitors – all of whom are authorized to provide ATC services on their full 20-28+ MHz of assigned spectrum.

**B. The Commission's ATC Rules Create an Imbalance in the ATC Marketplace That Is At Odds With Recent MSS Spectrum Decisions.**

Not only does the Commission's decision to limit the amount of spectrum Globalstar may use to provide ATC services run counter to the Commission's general recognition of the importance of MSS services in maintaining critical telecommunications in times of crisis or disaster, it also is inconsistent with basic principles of spectrum parity and sound competition policy. In justifying the recent reservation of all of the 2 GHz MSS spectrum for just two providers, the Commission took the position that the relevant product market for MSS spans all of the MSS bands and services.<sup>42/</sup> On that hypothesis, it makes no sense for the Commission to restrict Globalstar's ATC spectrum to roughly half (or less) of the amount the Commission has granted to its competitors in other MSS bands. Globalstar should not be hobbled with an artificial ATC limitation that is imposed on none of its competitors.

One of the Commission's principal justifications for reserving all of the 2 GHz spectrum to TMI and ICO was the asserted importance of ensuring that those two companies would have bandwidth comparable to that of existing MSS providers so that they could "compete more effectively" with them.<sup>43/</sup> In that analysis, the Commission ignored the fact that, as noted above, Globalstar's spectrum is unique in its sharing responsibilities. No other MSS provider capable of deploying ATC faces these coordination and protection requirements. (The Commission also ignored the affiliation between MSV and TMI, which consolidates in a single economic entity

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<sup>42/</sup> See Order, *Use of Returned Spectrum in the 2 GHz Mobile Satellite Service Frequency Bands*, 20 FCC Rcd 19696, 19711-12, ¶¶ 32-33 (2005) ("2 GHz Order").

<sup>43/</sup> *Id.* at 19712-13, ¶ 37.

nearly 50 MHz of spectrum available for ATC use.<sup>44/</sup>) There is simply no justification for adding to that an artificial limitation on the portion of Globalstar's MSS spectrum it can use for ATC. In order to ensure that Globalstar is able to compete effectively with other MSS/ATC operators, it is vital that the Commission place Globalstar on as close to equal footing as possible with those rivals by authorizing Globalstar to use all of its assigned spectrum for ATC services.

**V. GLOBALSTAR HAS A LONG HISTORY OF SUCCESSFULLY PROVIDING SERVICE WITHOUT CAUSING INTERFERENCE TO OTHER LICENSED OPERATIONS IN ITS SPECTRUM ALLOCATION.**

Globalstar has met the challenges of designing its system to ensure that its operations do not cause harmful interference to other licensees. Indeed, Globalstar's system is ideally suited to the competing requirements of accommodating others while optimizing system capacity because its system architecture uses a combination of central and distributed network control.

Globalstar's system architecture is designed to take into account local restrictions on frequency and power assignments by using the regional control of the resources that reside in the 25 Globalstar gateways located throughout the world, while central control and coordination provided by its Ground Operational Control Center in San Jose ensure that resources are efficiently allocated among gateways. Ultimately, because of the unique characteristics of its network architecture, Globalstar is able to restrict power as necessary and allocate frequencies to avoid causing harmful interference into services in the same or adjacent frequency bands. In fact, to date, Globalstar has never received a complaint that it is causing interference.

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<sup>44/</sup> See, e.g., Petition of Globalstar for Reconsideration, IB Docket Nos. 05-220 and 05-221 (filed Jan. 9, 2006) at 18; Consolidated Petition for Reconsideration of Inmarsat Ventures Limited and Inmarsat Global Limited, IB Docket Nos. 05-220 and 05-221, at 7-8 (filed Jan. 9, 2006).

Globalstar has made clear repeatedly that it is capable of providing services in spectrum that also is used by other allocations and licensees. The very predicate for the Commission's allocation decision in the original *Big LEO Negotiated Rulemaking Proceeding* was the ability of four CDMA-based MSS systems to share the same 11.35 MHz of L-band spectrum.<sup>45/</sup> Another example is the coexistence of Globalstar with the radio astronomy services that are cofrequency in small geographic areas in a limited part of the L-band assigned to Globalstar. In November 2001 Globalstar entered into a formal coordination agreement with the National Science Foundation that would allow Globalstar to provide service to airborne mobile earth stations without interfering with radio astronomy observatories in the 1610-1613.8 MHz band.<sup>46/</sup> Globalstar, in fact, has several methods of protecting radio astronomy sites and has never been advised that any radio astronomy site is experiencing interference from Globalstar's mobile or airborne terminals.

Globalstar will be equally able to provide ATC services throughout its spectrum allocation without causing harmful interference to other operations. Globalstar provided detailed technical analysis in its ATC application demonstrating that its ATC services would not cause interference to other licensees operating on the same or adjacent spectrum.<sup>47/</sup> For example, Globalstar has made clear that its ATC system is being designed to protect (1) the

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<sup>45/</sup> See Report to the MSS Above 1 GHz Negotiated Rulemaking Committee, filed in CC Docket No. 92-166 (Apr. 4, 1993).

<sup>46/</sup> Letter to Thomas Tycz, Chief, FCC Satellite and Radiocommunication Division, from William F. Adler, Globalstar, (Jan. 17, 2002) (attaching *Technical Operational Coordination Agreement for the Joint Usage of the Band 1610.6-1613.8 MHz for Airborne Mobile Earth Stations* (Nov. 29, 2001)).

<sup>47/</sup> See Globalstar LLC Application, *Request for Authority to Implement an Ancillary Terrestrial Component for the Big LEO Mobile Satellite Service (MSS) System*, File No. SAT-MOD-20050301-00054 (filed Mar. 1, 2005).

Radionavigation Satellite Service (“RNSS”), (2) the Television Broadcast Auxiliary Service (“BAS”), (3) Radio Astronomy operations, and (4) grandfathered licensees operating fixed and mobile facilities in the upper portions of the 2.4 GHz band services to the extent required under the Commission’s rules.<sup>48/</sup> Should the Commission authorize Globalstar to provide ATC services on its remaining spectrum, Globalstar acknowledges that it must protect other licensed users in that spectrum to the same extent as it is required to with respect to its MSS services.

Globalstar will also meet its sharing obligations with Iridium with a larger ATC allocation. The addition of ATC authority in the shared spectrum will not change or increase the likelihood of interference as compared to MSS operations. To date, Iridium has not provided any data that it is even using the shared spectrum in the U.S. or that it is using the shared spectrum anywhere else in the World to handle a significant amount of traffic.<sup>49/</sup> Three possible interference scenarios will arise out of Globalstar’s use of its entire spectrum for ATC.<sup>50/</sup> With respect to all three possible forms of interference (Iridium uplink into Globalstar ATC base stations, Iridium downlink into Globalstar ATC base stations, and Globalstar ATC into Iridium satellites) it is possible for Globalstar to operate cofrequency with Iridium in the shared 3.1 MHz portion of the band.

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<sup>48/</sup> See *Globalstar ATC Authorization* at 404-10, ¶¶ 19-32.

<sup>49/</sup> In contrast, Globalstar has provided data and analysis in a number of filings that show that Iridium does not need access to the shared spectrum. See e.g., Globalstar LLC, Petition for Reconsideration, IB Docket No. 02-364, ET Docket No. 00-258 (filed Sept. 8, 2004); Globalstar LLC, Reply to Opposition of Iridium Satellite LLC, IB Docket No. 02-364, ET Docket No. 00-258 (filed Nov. 10, 2004); L/Q Licensee, Inc., Globalstar, L.P., and Globalstar USA LLC., Joint Reply Comments, Att. A, Technical Analysis (filed July 25, 2003).

<sup>50/</sup> Interference into Iridium’s downlink MSS service is not considered because this is a secondary service allocation.

First, the impact of Iridium uplink transmissions on a Globalstar ATC base station is significant only when the Iridium user terminal and Globalstar ATC base station are close to each other, and this is the same for MSS or ATC/MSS terminals in the shared frequencies. If there was an issue of interference, Globalstar could simply choose to assign its users in areas of interference to frequencies in the unshared portion of the L-band – however, to do this efficiently and have adequate non-shared spectrum for urban uses, Globalstar needs more ATC spectrum.

Second, the possible impact on Globalstar ATC base stations of the Iridium downlink frequencies in the 3.1 MHz of shared L-band spectrum is to cause additional interference which will restrict the number of ATC users per channel that can be assigned, especially if Iridium ever operates near capacity in the 3.1 MHz shared bandwidth. However, since the ATC base station antenna has reduced gain towards the direction of Iridium satellites, it is still possible to use the shared frequencies for ATC (although admittedly not as efficiently as if the satellite signals were exclusively Globalstar signals). Furthermore, if Iridium ever operates a large number of terminals in the shared 3.1 MHz band, Globalstar's use of that bandwidth will already be restricted, whether in MSS or ATC mode.

Finally, the impact on Iridium's satellites, where it is co-primary, that could be caused by Globalstar ATC users in a given channel in the shared 3.1 MHz band will be approximately the same as the interference caused by Globalstar MSS users that would otherwise have been in that channel, because this is the basis on which the number of ATC users assigned to a given channel is determined by Globalstar. Specifically, the number of ATC users in a channel is limited to a value that would not cause any additional interference at the satellite (Globalstar or Iridium) relative to what would have been caused by MSS users so as not to interfere with MSS service. The same factors that limit the interference from ATC users into the Globalstar satellite (i.e.

antenna directivity towards the horizon versus that towards higher elevation angles, polarization isolation due to linear versus circular polarization, and reduced signal strength needed due to closer proximity of ATC base stations relative to satellites) will also limit the interference from ATC users to Iridium satellites.

It would be unreasonable for the Commission to limit Globalstar's ATC authority and let its spectrum go underutilized out of a concern for hypothetical interference arising from the sharing obligation Globalstar has with Iridium. Globalstar does use the shared band and needs ATC authority there in order to fully achieve the benefits that ATC is intended to bring. If Iridium subsequently provides evidence that (1) it is using the shared band, and (2) Globalstar is causing interference to Iridium's uplink, then the Commission can take any warranted corrective action. Such an event is unlikely.

## **VI. GLOBALSTAR REQUESTS EXPEDITED PROCESSING OF ITS PETITION FOR RULEMAKING.**

In light of the important role that Globalstar's services play in ensuring that first responders and other public safety officials can communicate during emergencies, it is vital that the Commission act promptly on Globalstar's request. The Commission's decision to limit the amount of spectrum Globalstar may use already has threatened to place Globalstar at a competitive disadvantage vis-à-vis its competitors, some of which already have or soon will apply for ATC authority. In addition, as Globalstar proceeds with expanding its business, obtaining additional financing and designing and deploying its ATC and second-generation satellite systems,<sup>51/</sup> it is essential that Globalstar have a definitive ruling on the amount of

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<sup>51/</sup> See Alcatel Alenia Space To Begin Study for Design of Globalstar Second-Generation Satellite Constellation, Press Release of March 2, 2006, available at [http://www.globalstar.com/en/news/pressreleases/press\\_display.php?pressId=400](http://www.globalstar.com/en/news/pressreleases/press_display.php?pressId=400).

spectrum it can utilize for ATC. As the Commission recognized, “permitting ATC will allow MSS operators the opportunity to take advantage of a number of network, spectrum and economic efficiencies that may help defray the substantial capital costs required to create and operate a satellite system.”<sup>52/</sup> Furthermore, the greater flexibility offered by a broader ATC authorization will enable Globalstar to attract investment and business partners and develop its network to meet the growing demands of its emergency response and commercial customers – without being forced to balance, or compromise, emergency communications needs with commercial communications needs.

There are no pending rulemakings or proceedings that justify any delay in ruling on Globalstar’s petition. With respect to the S-band, the Commission recently affirmed its decision to allow Globalstar to retain its secondary allocation in the 2496-2500 MHz band, and there is no reason to delay action on the instant request for ATC authority with respect to the spectrum that Globalstar shares with BRS licensees. First, as noted above, the Commission already appears to have contemplated that Globalstar would be able to provide ATC services in this portion of its assigned spectrum and accordingly required that Globalstar’s ATC base stations be tunable across the entire 2483.50-2500 MHz MSS allocation.<sup>53/</sup> In addition, the Commission’s rules governing the 2496-2500 MHz band already require Globalstar to accept any interference from BRS operations pursuant to footnote US391.<sup>54/</sup> As a result, Globalstar’s ATC operations in these

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<sup>52/</sup> *ATC Report and Order* at 1980 ¶ 32.

<sup>53/</sup> *See ATC Report and Order* at 2057 ¶ 193.

<sup>54/</sup> *Order on Reconsideration and Fifth Memorandum Opinion and Order, Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands; Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, Including Third Generation Wireless Systems*, IB Docket No. 02-364, ET Docket No. 00-258, FCC 06-46, ¶ 29 (rel. Apr. 27, 2006).

channels cannot interfere with BRS operations. In affirming its decision to allow BRS and MSS to operate in this same spectrum, the Commission reaffirmed that BRS and MSS can coexist without harmful interference at 2496-2500 MHz.<sup>55/</sup> The Commission concluded that, “when BRS and MSS are both operating in the same geographic area, sharing spectrum, through engineering solutions, should be feasible.”<sup>56/</sup> In addition, the Commission recognized that it “may be as long as five years before BRS operations are relocated to [the 2496-2500 MHz] band,” and as a result Globalstar “may operate as it always has during that time.”<sup>57/</sup> In light of Globalstar’s history of success in coordinating its operations with other users and now that the S-band proceeding has terminated, Globalstar should be permitted to use all of its S-band spectrum for ATC operations. With regard to the L-band, as noted earlier, rules are already in place to ensure proper use of the band on a coordinated or noninterference basis irrespective of any subsequent decision regarding further sharing of the band.

Given the vital role that Globalstar’s MSS/ATC network will play in ensuring operable communications during emergencies, the public interest would not be served by delaying a decision to authorize Globalstar to deploy ATC using its full spectrum. In addition, as technologies continue to develop, the likelihood that Globalstar and in-band and adjacent band licensees will be able to coexist will only increase with time. Accordingly, Globalstar requests that the Commission promptly place this petition on public notice and establish an expedited comment cycle so that it can proceed to grant it as quickly as possible.

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<sup>55/</sup> *Id.* ¶¶ 3, 6-7, 29-34.

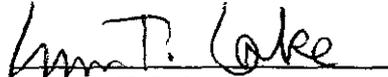
<sup>56/</sup> *Id.* ¶ 31.

<sup>57/</sup> *Id.* ¶ 30.

**CONCLUSION**

For these reasons, the Commission expeditiously should amend its rules to allow Globalstar, like other MSS providers, to offer ATC services over its full spectrum allocation.

Respectfully Submitted,



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June 20, 2006

**Attachment A**

Proposed amendment to 47 C.F.R. § 25.149(a)(2)(iii)

Current Rule:

\* \* \*

(iii) In the 1610–1626.5 MHz/2483.5–2500 MHz bands (Big LEO bands), ATC operations are limited to the 1610–1615.5 MHz, 1621.35–1626.5 MHz, and 2487.5–2493.0 MHz bands and to the specific frequencies authorized for use by the MSS licensee that seeks ATC authority.

\* \* \*

Proposed Rule:

\* \* \*

(iii) In the 1610–1626.5 MHz/2483.5–2500 MHz bands (Big LEO bands), ATC operations are limited to the specific frequency assignments authorized for the MSS system of the MSS licensee that seeks ATC authority.

\* \* \*

# Globalstar Service Link Frequencies

In Canada, Globalstar's license is 1610-1618.725 MHz.

