

**Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Amendment of Parts 13 and 80 of the Commission’s Rules Concerning Maritime Communications)	WT Docket No. 00-48
)	
Petition for Rule Making Filed by Globe Wireless, Inc.)	RM-9499
)	
Amendment of the Commission’s Rules Concerning Maritime Communications)	PR Docket No. 92-257
)	

REPLY COMMENTS OF INMARSAT VENTURES LIMITED

Inmarsat Ventures Limited (“Inmarsat”) hereby submits its Reply Comments in response to the comments filed regarding the Commission’s Memorandum Opinion and Order, Third Report and Order and Third Further Notice of Proposed Rulemaking (“*Order and Further Notice*”) in these proceedings.¹

Inmarsat supports the Commission’s efforts to ensure that the Part 80 rules that govern the Maritime Radio Services continue to promote maritime safety, maximize effective and efficient use of spectrum, accommodate technological innovation, avoid unnecessary regulatory burdens, and maintain consistency with international standards.² The Commission’s *Order and Further Notice* advances those goals and Inmarsat fully supports the proposals set forth by the Commission for comment.

¹ *In the Matter of Amendment of Parts 13 and 80 of the Commission’s Rules Concerning Maritime Communications; Petition for Rule Making Filed by Globe Wireless, Inc.; Amendment of the Commission’s Rules Concerning Maritime Communications*, WT Docket No. 00-48, RM-9499, PR Docket No. 92-257 (rel. Sep. 8, 2006) (“*Order and Further Notice*”).

² *Id.* ¶ 1.

Most relevant to these Comments, Inmarsat agrees with the Commission's decision in the *Order and Further Notice* (i) to authorize for GMDSS use *any* mobile satellite equipment approved by the International Maritime Organization (the "IMO"), and (ii) to decline to adopt a *new* framework for Commission authorization of such equipment.³ Thus, Inmarsat does not believe there is any need, as the GMDSS Task Force (the "Task Force") now suggests,⁴ for the Commission to revisit Section 80.905 of its rules and adopt a new framework to allow Commission approval of new GMDSS equipment and systems.

Under the framework affirmed by the Commission in the *Order and Further Notice*, the Commission (i) will continue to rely upon the IMO's GMDSS approval process, and (ii) plans to amend Section 80.905 of the Commission's rules to reflect *any* GMDSS terminal types, once approved by the IMO.⁵ Thus, this rule *already* provides the means for the Commission to allow GMDSS service through the IMO-approved equipment used by any service provider authorized by the IMO for GMDSS.⁶ Indeed, the IMO has established clear performance criteria and a process under which *any* MSS operator may offer itself as an IMO-approved provider of GMDSS.⁷ The United States, United Kingdom and several other Administrations actively participated in the development of the IMO performance criteria to ensure safety on the high seas while also

³ *Id.* ¶ 32.

⁴ Comments of the GMDSS Task Force at 2

⁵ *Order and Further Notice*, at ¶ 32.

⁶ Of course, the MSS system supporting GMDSS also needs general Commission authority to provide satellite services in the United States, whether by holding a Commission license or by obtaining U.S. market access. Existing Commission processes already provide a means to seek that authority. *See generally Amendment of the Commission's Space Station Licensing Rules and Policies, Mitigation of Orbital Debris*, 18 FCC Rcd 10760 (2003).

⁷ These criteria and processes were established in 1999 through Resolution A.888(21).

facilitating competition. The Task Force provides no compelling basis to revisit the existing GMDSS certification process.

Furthermore, there is a strong public interest basis for allowing the IMO to continue to approve GMDSS services and equipment, as opposed to adopting a new approval process. GMDSS is a *global* service, and thus is appropriately governed by a single set of international standards. The flow of maritime commerce on the high seas is best facilitated by having a single set of standards overseen by a single body – currently, the IMO, as overseen by the International Mobile Satellite Organization. Moreover, adopting a new Commission certification process (as the Task Force seems to suggest) could lead to conflicting requirements and “engender confusion,”⁸ precisely what the Commission sought to avoid in the *Order and Further Notice*. Indeed, in the *Order and Further Notice*, the Commission affirmed its policy goals to “avoid unnecessary regulatory burdens” and to “maintain consistency with international maritime standards to the extent consistent with the United States public interest.”⁹ Similarly, when the Commission commenced its review of the Part 80 rules in 2000, it did so “[w]ith the primary goal of ensuring that the GMDSS rules in Part 80 are consistent, to the extent feasible and appropriate, with the most up-to-date international standards”¹⁰ The Task Force’s proposal thus appears inconsistent with Commission policies.

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For the foregoing reasons, Inmarsat commends the Commission’s approach in its *Order and Further Notice*. Inmarsat does not believe, however, that the Commission should

⁸ *Order and Further Notice*, at ¶ 32.

⁹ *Id.* ¶ 1.

¹⁰ *Id.* ¶ 5.

pursue the Task Force's proposal to establish a separate GMDSS approval process from that already administered by the IMO.

Respectfully submitted,

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