

November 1, 2007

Via Electronic Filing

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

Re: Ex Parte Filing
WT Docket Nos. 96-86, 06-150 and 05-211; PS Docket No. 06-229;
AU Docket No. 07-157

Dear Ms. Dortch:

The undersigned MSS licensees hereby respond to arguments raised by Space Data Corporation (“Space Data”) in meetings with FCC Commissioners and staff on October 23 and October 24, 2007. According to Space Data’s October 24, 2007 *ex parte* filing those meetings addressed “Space Data’s capability to provide ubiquitous coverage to meet build out requirements that are applicable to the 700 MHz licenses scheduled to be auctioned in Auction No. 73.” Space Data also appears to propose that that airborne transceivers “reduce” the need for public safety users of the D block/public safety license to have available satellite-enabled user devices.

The undersigned believe the FCC should, when appropriate, carefully consider authorization of proposed new services that may promote public interest objectives. However, Space Data’s assertion that airborne transceivers provide an alternative to the seamlessly integrated satellite solution requirement adopted in the *700 MHz Second Report and Order*¹ is unsupported. The *700 MHz Second Report and Order* found that

¹ Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, WT Docket No. 06-150, Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Section 68.4(a) of the Commission’s Rules Governing Hearing Aid-Compatible Telephones, WT Docket No. 01-309, Biennial Regulatory Review – Amendment of Parts 1, 22, 24, 27, and 90 to Streamline and Harmonize Various Rules Affecting Wireless Radio Services, WT Docket 03-264, Former Nextel Communications, Inc. Upper 700 MHz Guard Band Licenses and Revisions to Part 27 of the Commission’s Rules, WT Docket No. 06-169, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, PS Docket No. 06-229, Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety

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satellite services can provide “the only means of communicating where terrestrial communications networks have been damaged or destroyed by wide-scale natural or man-made disasters.” *Id.* at ¶ 463. Mobile satellite services have been commercially deployed for years and have established their ability to provide ubiquitous coverage. Airborne transceivers have not been shown to provide this level of commercial or public safety service reliability. To the extent that Space Data seeks modification of the seamless satellite handset requirement, its request should be rejected.

Respectfully submitted,

MOBILE SATELLITE VENTURES LP

By: /s/ Jennifer A. Manner

Jennifer A. Manner
Vice President, Regulatory Affairs
10802 Parkridge Blvd.
Reston, VA 20191

IRIDIUM SATELLITE LLC

By: /s/ Donna Murphy

Donna Murphy
Vice President, Regulatory Engineering
6701 Democracy Blvd.
Suite 500
Bethesda, MD 20817

GLOBALSTAR, LLC

By: /s/ William F. Adler

William F. Adler
Vice President, Legal & Regulatory Affairs
461 South Milpitas Blvd.
Milpitas, CA 95035

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Communications Requirements Through the Year 2010, WT Docket No. 96-86, Second Report and Order, FCC 07-132, (2007) (“700 MHz Second Report and Order”).

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INMARSAT, INC.

By: /s/ Diane Cornell

Diane Cornell
Vice President, Government Affairs
1101 Connecticut Ave, NW, Suite 1200
Washington, D.C. 20036

TERRESTAR NETWORKS INC.

By: /s/ Douglas I. Brandon

Douglas I. Brandon
Vice President for Regulatory Affairs
TerreStar Networks Inc.
12010 Sunset Hills Road
Reston, VA 20190

ICO GLOBAL COMMUNICATIONS

By: /s/ Suzanne Hutchings Malloy

Suzanne Hutchings Malloy
Senior Vice President, Regulatory Affairs
815 Connecticut Avenue, NW
Suite 610
Washington, DC 20006

cc: Bruce Gottlieb
Renee Crittendon
Wayne Leighton
Cheryl A. Tritt