



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center
Chief, International Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *Globalstar, Inc. v. FCC & USA*, No. 08-1046. Filing of a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: February 8, 2008

This is to advise you that, on February 5, 2008, Globalstar, Inc. ("Globalstar") filed a new Petition for Review in the U.S. Court of Appeals for the District of Columbia Circuit pursuant to 47 U.S.C. § 402(a), of the following order: *Spectrum and Service Rules for Ancillary Terrestrial Components in the 1.6/2.4 GHz Big LEO Bands*, IB Docket No. 07-253, RM-11339 and *Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands*, IB Docket No. 02-364, Second Order on Reconsideration, Second Report and Order, and Notice of Proposed Rulemaking, 22 FCC Rcd 19733 (2007).

In the order on review, the Commission reassigned 3.1 MHz of spectrum in the Big LEO L-band from exclusive use by petitioner Globalstar, which uses Code Division Multiple Access ("CDMA") technology, to Iridium Satellite LLC, which uses Time Division Multiple Access ("TDMA") technology. The new spectrum assignment results in equal allotments in the L-band for both licensees, an arrangement the Commission found to be more equitable than the prior assignment. Globalstar claims that the Commission acted arbitrarily.

The Court has docketed this case as No. 08-1046. The attorney assigned to handle the litigation of this case is Joel Marcus.