

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Service Rules for the 698-746, 747-762 and 777-792 MHz Bands)	WT Docket No. 06-150
)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band)	PS Docket No. 06-229

COMMENTS OF MOBILE SATELLITE VENTURES SUBSIDIARY LLC

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Summary

MSV urges the Commission to modify its “one satellite handset” rule to require that at least one model of each major device type (e.g., one laptop card, one PDA, and one phone) and half of all models made available to public safety incorporate satellite communications capability. This requirement should be phased in over two years, such that the first model of each of these device types must be made available within 36 months of the award of the D block license, and half of all models must include satellite capability within 60 months of the award of the license.

There is widespread agreement that the only way to ensure the promise of ubiquitous, reliable communications in an emergency is to mandate a satellite component. Even the most ambitious deployment plan for a 700 MHz public safety network would take years to realize and would leave large portions of the United States unserved. The substantially relaxed coverage targets now proposed could result in a “nationwide” public safety network that actually serves only a small fraction of the nation’s land area and leaves thousands of first responders without any access to the terrestrial network. The reduced coverage requirement would also vastly reduce the utility of the network to public safety personnel who operate primarily within the terrestrial footprint when their duties require that they travel outside the required coverage area of the terrestrial network.

Satellite service can fill the unserved gaps and vast unserved areas as well as provide immediate service when terrestrial facilities experience disaster-related outages. However, those benefits cannot be realized unless satellite-enabled devices are available in form factors and with features that public safety officials demand for their primary devices. Agencies that rely on laptop cards and PDA-based applications will need laptop cards and PDAs that can establish satellite links. All public safety users that may need to rely on satellite links should have the

ability to do so with their primary devices – the devices they keep charged and at hand and that they already know how to use. A single satellite-capable handset, while better than no satellite option at all, would likely result in a repeat of the Katrina paradox, in which many agencies that had the foresight and budget to maintain satellite devices for emergency use found some of the devices uncharged and personnel untrained in their use – just when the devices were needed most. The only way to avoid this is to ensure that agencies can select satellite-enabled devices that meet their day-to-day needs in the first place.

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Mobile Satellite Ventures Subsidiary LLC (“MSV”) hereby submits these Comments in response to the *Third Further Notice of Proposed Rulemaking* released by the Commission on September 25, 2008 in connection with the above-referenced proceedings.¹ To achieve the goal of a nationwide, interoperable public safety broadband network the Commission should ensure that D Block public safety users have available for use an array of technologically advanced wireless communications devices that are satellite-enabled. Only by incorporating satellite capability into many public safety user devices will public safety have the coverage and reliability that is critical to the success and wide-spread utilization of this new network.²

For these reasons, MSV supports the Commission’s proposal to retain the requirement that the D Block licensee make available at least one handset with an integrated satellite solution. However, in order to assure the maximum public interest benefit from a satellite-enabled device

¹ See *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, FCC 09-230 (September 25, 2008) (“*Third FNPRM*”).

² As Chairman Martin testified before a Senate committee hearing, “[i]f we learned anything from Hurricane Katrina, it is that we cannot rely solely on terrestrial communications.” *Hearing on Communications in a Disaster Before the S. Comm. on Commerce, Science and Transportation*, 109th Cong. 7 (2005) (statement of Kevin J. Martin, Chairman, FCC).

requirement, MSV urges the Commission to modify its “one satellite handset” rule to require that at least one model of each major device type (e.g., one laptop card, one PDA, and one phone) and half of all models made available to public safety incorporate satellite communications capability. This requirement should be phased in over two years, such that the first model of each of these device types must be made available within 36 months of the award of the D block license, and half of all models must include satellite capability within 60 months of the award of the license.

Background

Mobile Satellite Ventures LLC. MSV is the entity authorized by the Commission in 1989 to construct, launch, and operate a United States MSS system in the L band.³ With over twelve years of operational experience, MSV offers a full range of mobile satellite services, including voice and data to approximately 300,000 units, using its network comprised of its own U.S.-licensed satellite, the Canadian L band satellite licensed to Mobile Satellite Ventures (Canada) Inc., and extensive, redundant ground facilities.

Public safety users and the emergency response community represent a significant portion of MSV’s customer base. MSV currently provides two-way radio (push-to-talk) and mobile data services to federal, state, and local agencies involved in public safety and emergency response operations.⁴ These include, among others, the Federal Emergency Management Agency, the Department of Justice, the Federal Bureau of Investigation, the Louisiana Governor’s Office of Homeland Security and Emergency Preparedness, the California

³ *Order and Authorization*, 4 FCC Rcd 6041 (1989); *remanded by Aeronautical Radio, Inc. v. FCC*, 928 F.2d 428 (D.C. Cir. 1991); *Final Decision on Remand*, 7 FCC Rcd 266 (1992); *aff’d*, *Aeronautical Radio, Inc. v. FCC*, 983 F.2d 275 (D.C. Cir. 1993); *see also AMSC Subsidiary Corporation, Memorandum Opinion and Order*, 8 FCC Rcd 4040 (1993).

⁴ Exhibit 1 includes news releases describing a public/private partnership in which MSV participates that uses MSV’s technology and services to provide regional and national interoperable public safety communications for talkgroups being managed by, among others, the Department of Justice, the Centers for Disease Control and Prevention, and the Department of Homeland Security.

Governor's Office of Emergency Services, and numerous other local and state fire, police, and emergency response agencies.⁵ These public safety entities and first responders depend on MSV's satellite system for reliable, redundant, and ubiquitous wireless services during daily operations and emergencies.

Satellite Mutual Aid Radio Talk ("SMART") groups, a form of push-to-talk technology, are a benefit of MSV's unique service. The SMART program enables member public safety agencies and departments to participate in nationwide two-way satellite radio talkgroups, improving the ability of departments and agencies to communicate and coordinate quickly and effectively in times of urgent need, regardless of location or conditions on the ground.⁶

MSV has contracted with the Boeing Corporation for the development and construction of two replacement satellites that, when launched in the 2009-2010 timeframe, will be two of the most powerful commercial satellites ever launched, providing enough power to offer two-way mobile satellite service to handsets the size of today's cell phones and PDAs. These transparency-class satellites will serve as the cornerstone of an integrated satellite-terrestrial network, which will provide ubiquitous wireless broadband services, including Internet access and voice services, in the United States and Canada. Coming online in the earliest stages of broadband public safety network construction, MSV's next generation system can provide an interoperable overlay and serve as a complement to the new network, providing vastly increased reach, critical redundancy, and advanced capabilities that are better or exclusively provided via a satellite network.⁷

⁵ *Id.*

⁶ *Id.*

⁷ Dale Hatfield and Phil Weiser, *Toward a Next Generation Strategy: Learning from Katrina and Taking Advantage of New Technologies*, Mobile Satellite Ventures Subsidiary LLC (2005) (finding that an effective next generation public safety network would integrate satellite technology to provide a robust, reliable, secure, and interoperable broadband communications system).

700 MHz Proceeding. In its previous comments in this proceeding, MSV demonstrated the importance of the incorporation of satellite-based communications capability into public safety networks. There is substantial support from a broad range of parties for the use of satellites as a component of the public safety communications network, primarily based on the marked advantages satellite communications have over terrestrial offerings with respect to coverage and survivability.⁸

MSV has demonstrated that satellites are uniquely capable of providing broadband coverage from the densest urban cores to the most rural areas, which may be beyond the reach of terrestrial wireline or wireless networks.⁹ MSV has noted that even the most ambitious deployment plan for a 700 MHz public safety network would take years to realize and leave large portions of the United States unserved forever.¹⁰ The substantially less ambitious coverage requirements now proposed could result in a “nationwide” public safety network that actually serves only a small fraction of the nation’s land area and leaves thousands of first responders without service. As many commenters have acknowledged, mobile satellite services can extend the interoperable network coverage truly nationwide and make it available to all first responders.¹¹ The Rural Telecommunications Alliance, arguing that every device used on the

⁸ See, e.g. *Comments of National Public Safety Telecommunications Council*, WT Docket No. 06-150, PS Docket No. 06-229 (filed June 20, 2008) (stating that NPSTC “supports the notion of incorporating satellite or other nonterrestrial networks in at least one handset”).

⁹ See *Comments of Mobile Satellite Ventures Subsidiary LLC*, WT Docket No. 06-150, PS Docket No. 06-229 (filed May 23, 2007) (“*MSV 2007 Comments*”), citing *Extending Wireless Telecommunications Services to Tribal Lands*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 11794, ¶13 (June 30, 2000) (“Satellites also provide communications opportunities for communities in geographically isolated areas, such as mountainous regions in deep valleys, where rugged and impassable terrain may make service via terrestrial wireless or wireline telephony economically impractical.”)

¹⁰ *Id.* at 4-5.

¹¹ See, e.g., *Comments of Northrop Grumman Information Technology Inc.*, WT Docket No. 06-150, PS Docket No. 06-229, 6, n. 9 (June 20, 2008) (supporting the use of Mobile Satellite Services to provide coverage to remote, sparsely populated areas); *Reply Comments of the American Association of State Highway and Transportation Officials*, WT Docket No. 06-150, PS Docket No. 06-229, 9 (filed July 7, 2008) (stating that supplementing terrestrial coverage with space-based satellite systems is a viable option); *Reply Comments of Leap Wireless International, Inc.*, WT Docket No. 06-150, PS Docket No. 06-229, 8-9 (filed July 7, 2008) (finding that “[s]atellites provide unrivaled coverage and are often insulated from catastrophic events on the ground”); *Reply*

network should be satellite-enabled, contends that the only way to ensure the promise of ubiquitous reliable communications in an emergency is to mandate a satellite component.¹² Leap Wireless International, Inc. has argued that “[f]or areas without terrestrial network coverage, the Commission could ensure that public safety officials have adequate service by . . . permitting the carrier to use other alternatives for satisfying coverage requirements (e.g., satellite).”¹³ An integrated satellite component would vastly increase geographic coverage and, with an appropriately designed terrestrial network, would ensure coverage of essentially all of the population. Incorporating satellite capability into all types of public safety broadband user devices will ensure that all public safety users have access to data communications with the devices that host their specific applications in the near term, even in the absence of terrestrial wireless facilities and access.

Similarly, the record in this proceeding shows that a public safety network that includes satellite access as an integral component is far more resilient and reliable than a terrestrial-only network, because the two networks face almost entirely different risk profiles. Terrestrial facilities, however hardened and resilient, are always at risk of being damaged or destroyed by the same events that create the immediate and urgent need for communications to coordinate and execute emergency response, such as in the case of floods or hurricanes. The benefits of satellite communications in emergency response situations are not simply theoretical: at times, no

Comments of the National Public Safety Telecommunications Council, WT Docket No. 06-150, PS Docket No. 06-229, 12 (filed July 7, 2008) (stating that “the overall population coverage requirement may be . . . made instantly operational through satellite links”); *Reply Comments of the Public Safety Spectrum Trust Corporation*, WT Docket No. 06-150, PS Docket No. 06-229 (filed July 7, 2008) (proposing that the Commission require satellite coverage and service requirements); *Reply of the Satellite Industry Association*, WT Docket No. 06-150, PS Docket No. 06-229, 3 (arguing that “satellites are unique in their ability to provide ubiquitous service coverage and withstand terrestrial disasters”).

¹² *Comments of the Rural Telecommunications Alliance*, WT Docket No. 06-150 and PS Docket No. 06-229, Section III (filed October 31, 2008).

¹³ *Comments of Leap Wireless International, Inc.*, WT Docket No. 06-150, PS Docket No. 06-229, 13 (filed June 20, 2008). See also *Letter*, Mississippi Department of Public Safety, 1 (filed May 22, 2008) (noting that “[s]atellites continue to demonstrate their importance in serving hard to reach geographic areas or underserved areas in the United States for basic and emergency communications”).

satellite link means no communications link at all. According to the Mississippi Department of Public Safety, “[i]mmediately following the destruction of Hurricane Katrina, satellite communications [were] the only reliable means of communicating in the State.”¹⁴ The FCC’s independent panel investigating the impact of Hurricane Katrina on communications networks confirms that the Mississippi Department of Public Safety’s experience was not unique:

Satellite networks appeared to be the communications service least disrupted by Hurricane Katrina. As these networks do not heavily depend upon terrestrial-based infrastructure, they are typically not affected by wind, rain, flooding or power outages.¹⁵

MSV and other parties have demonstrated that adding satellite functionality would have only a minor impact on user device costs. Equipment manufacturer Ericsson Inc., in supporting satellite use, noted that satellite “functionality can be incorporated into modern handsets with minor impact to the manufacturing cost of the handset and no impact to the form factor.”¹⁶ Over a year ago, MSV submitted a certification in this proceeding demonstrating that adding satellite functionality would add no more than \$5 to the manufacturing cost of each device.¹⁷ MSV, ICO Global Communications (Holdings) Limited, and Qualcomm Incorporated recently announced an agreement of an adaptation to Qualcomm’s mobile wireless product line to provide for a level of integration of satellite capability into the chipset platform that exceeds that previously contemplated. Accordingly, MSV has revised its estimate and has now demonstrated that the

¹⁴ *Letter*, Mississippi Department of Public Safety, 1 (filed May 22, 2008).

¹⁵ *See, e.g. Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks, Report and Recommendations to the Federal Communications Commission*, June 12, 2006 at 10, available at <http://www.fcc.gov/pshs/docs/advisory/hkip/karrp.pdf> (“*Katrina Independent Panel Report*”)

¹⁶ *Comments of Ericsson Inc.*, WT Docket No. 06-150, PS Docket No. 06-229, 28 (filed June 20, 2008).

¹⁷ Letter from Jennifer A. Manner to Marlene H. Dortch, *Mobile Satellite Ventures LP*, WT Docket No. 06-150, PS Docket No. 06-229 (filed June 18, 2007).

cost to the manufacturer of adding satellite functionality to a 700 MHz public safety user device has been reduced to less than \$3 per device.¹⁸

Third FNPRM. The failure of the D block auction has prompted a continuing review of what can be done to ensure that the 700 MHz public/private initiative is successful. In May 2008, the FCC invited comments, and a number of entities,¹⁹ including MSV, focused on the benefits of satellite facilities and urged that they be incorporated into D Block operations.²⁰ MSV urged the Commission to require that all devices using the 700 MHz public safety block be satellite-enabled.²¹ MSV further proposed the modification of the buildout and hardening requirements if the D block licensee offers public safety a qualified satellite component.²²

In the *Third FNPRM*, the Commission sets out its proposed final rules based on the comments it solicited and also seeks further comment on a number of related issues. The Commission proposes significantly relaxing the population-based performance requirements and the length of the license term initially adopted.²³ In the *Second Report and Order*, the Commission initially required the D Block licensee to provide signal coverage and offer service to at least 75 percent of the population of the nationwide D Block license area by the end of the fourth year, 95 percent by the end of the seventh year, and 99.3 percent by the end of the tenth year.²⁴ Under the relaxed proposed requirements, the D Block licensee must provide signal

¹⁸ See *MSV Ex Parte Presentation*, WT Docket No. 06-150, PS Docket No. 06-229 (filed October 2, 2008).

¹⁹ See, e.g. *Comments of National Public Safety Telecommunications Council*, WT Docket No. 06-150, PS Docket No. 06-229 (filed June 20, 2008); *Comments of Leap Wireless International, Inc.*, WT Docket No. 06-150, PS Docket No. 06-229, 13 (filed June 20, 2008); *Comments of Northrop Grumman Information Technology Inc.*, WT Docket No. 06-150, PS Docket No. 06-229, 6, n. 9 (June 20, 2008).

²⁰ *Comments of Mobile Satellite Ventures Subsidiary LLC*, WT Docket No. 06-150, PS Docket No. 06-229, 14 (filed June 20, 2008)

²¹ *Id.* at 8-11.

²² *Id.* at 15-30.

²³ *Third FNPRM* at ¶ 148.

²⁴ See *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.

coverage and offer service to at least 40 percent of the population in each Public Safety Region (“PSR”) by the end of the fourth year, and 75 percent by the end of the tenth year.²⁵ The Commission proposes a “tiered” approach for the final year 15 benchmark, applying one of three benchmarks depending on the population density of the PSR: (1) for PSRs with a population density less than 100 people per square mile, signal coverage must be provided and service must be offered to at least 90 percent of the population; (2) for PSRs with a population density equal to or greater than 100 people per square mile and less than 500 people per square mile, signal coverage must be provided and service must be offered to at least 94 percent of the population; and (3) for PSRs with a population density equal to or greater than 500 people per square mile, signal coverage must be provided and service must be offered to at least 98 percent of the population.²⁶

With respect to satellite handsets, the Commission proposes to retain its current requirement that a D Block licensee must make available to public safety users at least one handset that includes an integrated satellite solution.²⁷ The Commission does not propose a specific deadline for meeting this requirement.²⁸ The Commission also asks whether additional satellite capability would further enhance the shared 700 MHz public/private network and

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 Communications Requirements Through the Year 2010, WT Docket No. 96-86, Declaratory Ruling on Reporting Requirement under Commission’s Part 1 Anti-Collusion Rule, WT Docket No. 07-166, Second Report and Order, 22 FCC Rcd 15289, ¶ 437 (2007).

²⁵ *Third FNPRM* at ¶ 149.

²⁶ *Id.*

²⁷ *Id.* at ¶ 131.

²⁸ *Id.*

whether the Commission should grant additional flexibility in meeting license obligations if a D Block licensee integrates a satellite component with the network.²⁹

Discussion

The Commission and the public safety community recognize that satellite services can improve the public safety network by extending the network's coverage and increasing its survivability.³⁰ MSV's experience and the experience of its customers demonstrates that satellite services are well suited to providing service coverage in areas that the terrestrial network will not reach and to providing reliable communications services when terrestrial facilities have been damaged or destroyed. To assure that the benefits of satellite-enabled service accrue to the broadest possible subset of public safety users, and to mitigate the harsh effects of the proposed reductions in hardening and in the timing and scope of the buildout, MSV urges the Commission to modify its "one satellite handset" rule to require that at least one model of each major device type (e.g., one laptop card, one PDA, and one phone)³¹ and half of all models made available to public safety incorporate satellite communications capability. This requirement should be phased in over two years, such that the first model of each of these device types must be made

²⁹ *Id.* at ¶ 119.

³⁰ *See, e.g., Third FNPRM.* To facilitate access where the network has not been constructed, the Notice proposes: (i) to retain the requirement that the D Block licensee(s) must make available at least one handset that includes an integrated satellite solution; (ii) to allow the D Block licensee(s) to rely on satellites to provide complete service to major highways, interstates, and incorporated communities with populations greater than 3,000 under certain circumstances; and (iii) to permit the D Block licensee(s) and the PSBL to agree on the use of satellite facilities to improve network resilience in lieu of designating critical cell sites. *See Third FNPRM* at ¶¶118-19, 131, 155. The Notice does not make clear how a licensee might use satellite service to take advantage of the latter two options. Without some clarification, these options appear to be too vague to offer meaningful relief, which is why MSV urges the Commission to emphasize the first option by generally reinforcing and increasing the availability of satellite-enabled user devices.

³¹ For the purposes of this proposal, "device type" means each of (i) a PC card - a data-oriented device intended to be attached to a laptop or other computing device to enable connections to a network; (ii) handset - a traditional voice-oriented handset whose primary purpose is voice communications (but may include access to data services); and, (iii) PDA (personal digital assistant)-type device - a converged voice / data device whose primary purpose includes both voice and data communications.

available within 36 months of the award of the D block license, and half of all models must include satellite capability within 60 months of the award of the license.³²

Coverage. The coverage proposal in the *Third FNPRM* would greatly reduce the minimum required coverage in the best case scenario. Nonetheless, the *Third FNPRM* concludes that satellite service cannot be used to meet the relaxed buildout requirements because (i) satellites cannot currently provide broadband capabilities comparable to those of a broadband terrestrial network and (ii) given the significant reduction in geographic area that will need to be covered under the revised benchmarks and the additional time for build out, the D Block licensee(s) should be able to meet the new requirements without relying on inclusion of a satellite component.³³ MSV appreciates the need to relax the buildout requirement in order to make construction and operation of the terrestrial network more affordable, but a smaller terrestrial footprint makes a meaningful satellite component far more important. The fact that the D block licensee may have less need to rely on satellite service to meet relaxed minimum coverage requirements does not change the fact that a much smaller service area means that substantially more people will not be served by the public-private partnership terrestrial network at all. If the proposal is adopted and all 58 regional licenses are awarded (or a national bidder emerges), nearly 20 million Americans are not required to receive service even after fifteen years.³⁴ A national D-Block licensee, strictly adhering to the proposed rules, could leave as many 70 million Americans without the benefits of the interoperable Public Safety Broadband Network in the tenth year.³⁵ Under a regional licensing approach, the unserved area and

³² Accordingly, MSV has prepared draft rules covering technical and operational aspects of these proposals, which are attached as Exhibit 2.

³³ *Third FNPRM* at ¶ 153.

³⁴ Based on the *Third FNPRM*'s proposal to cover 98% coverage of the first tier of PSRs, 94% of the next tier of PSRs, and 90% of the 30 least dense PSRs.

³⁵ *Id.*

population could be far greater. As Commissioner Copps has observed, under the proposed rules the network could be built in as few as eleven of the fifty-eight regional service areas “without any firm plan for how to create coverage in the rest of the country.”³⁶ It is conceivable that entire states could remain unserved for many years.³⁷ Even in the best-case scenario where all 58 regional PSRs are successfully auctioned or a national license emerges, MSV has demonstrated that the approximate 94% POP coverage requirement articulated in the *Third FNPRM* could result in coverage of as little as 1/6th of U.S. land area³⁸ while still resulting in full technical compliance with the rules. While MSV cannot predict the geographic scope of the network that would be deployed, the broad availability of satellite devices would ensure that communications are available in what is likely to be a very large unserved terrestrial area.

Indeed, the smaller the footprint of the terrestrial network, the more important increased satellite capability becomes. The decision to greatly scale back the scope of the terrestrial network infrastructure may be a necessary compromise, but it does not follow that a significant portion of the United States should remain unserved. Communities and first responders that will be unserved by the terrestrial 700 MHz network will be the same communities and agencies that are still unserved by the types of communications infrastructure, such as robust, competitive commercial networks, that is taken for granted in densely populated areas.³⁹ Satellite services can extend the reach of the terrestrial network at an infrastructure cost modest enough to be considered almost insignificant. The FCC must implement robust satellite requirements to

³⁶ Concurring Statement of Commissioner Michael J. Copps, *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150; *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, PS Docket No. 06-229, FCC 08-230 (released September 25, 2008).

³⁷ *Id.*

³⁸ See *Comments of Mobile Satellite Ventures Subsidiary LLC*, WT Docket No. 06-150, PS Docket No. 06-229, Exhibit 2, Buildout Model Summary – With Hardening (filed June 20, 2008) (finding that 95% of POPs could be served with less than 600,000 square miles of coverage).

³⁹ Even agencies that are served by the terrestrial network will have smaller service areas because critical highways and interstates may never be covered by the terrestrial network.

maintain an effective and reliable public safety network which meets the FCC's goals in the *Third FNPRM*.

Device Types. The *Third FNPRM* proposes to retain the “one handset” requirement that applied when the public safety network was envisioned to cover 99.3% of the population. With a greatly scaled-back coverage requirement and relaxed hardening requirements, MSV urges the Commission to give more thought to the needs of the many first responders who will have to rely on satellite links for some or all of their critical communications. First responders that enjoy excellent terrestrial coverage in their “home” areas may face many “dead zones” on highways and interstates (many of which may never be covered) and when they travel to assist in large scale disaster response. A fire department that might have relied on one or two satellite-enabled phones in a 99.3% coverage scenario may find that it needs satellite capability in most or all of its devices if terrestrial coverage is far more limited. In these cases, a single satellite-enabled device is insufficient. Wireless broadband communications networks are still in the early stages of evolution, and it is already clear that many different types of devices will be used on wireless networks. A variety of wireless broadband PDAs, computer cards, and USB adapters is already available for use on commercial broadband networks, and commercial carriers may soon offer low-cost “netbooks” with built-in wireless broadband links.⁴⁰ Agencies that rely on laptop cards will need cards that are satellite-capable. First responders that use PDA-based applications will need PDAs that can establish satellite links. In short, all public safety users that may need to rely on satellite links should have the ability to do so with their primary devices – the devices they keep charged and at hand and already know how to use.

⁴⁰ Elgan: *Why netbooks will soon cost \$99; Prediction: The era when subnotebooks are subsidized like cell phones is here – almost*, Computerworld.com, available at http://www.computerworld.com/action/article.do?command=viewArticleBasic&taxonomyName=wireless_trends_and_technologies&articleId=9118758&taxonomyId=78&intsrc=kc_feat.

If satellite capability is not built into the devices public safety personnel use every day, the capability will not be there when it is needed. It is impossible to foresee precisely when and where emergencies will arise. Requiring that one satellite device be available to first responders is like requiring that air bags be built into only one kind of vehicle. Air bags can be a critical feature on a vehicle that crashes, but few people would choose a vehicle that is a poor match for their everyday needs simply to get air bags. To be effective, air bags must be built into (or at least available in) every vehicle. To an extent, the same is true for satellite capability in communications devices: the capability will not be there when it is most needed if agencies do not select satellite-enabled devices in the first place. Instead, we are more likely to see a repeat of the Katrina paradox, in which public safety entities that had the foresight to have satellite phones on hand for emergency or “standby” use found those devices uncharged, and first responders untrained in their use:

Because of failures of the primary public safety networks, public safety personnel had to utilize back-up or alternative communications technologies with which they may not have had substantial experience. * * * Public safety personnel did not seem to have adequate training on alternative communications technologies, such as paging, satellite, license-exempt WISP systems, and thus were not able to transition seamlessly to these alternatives when existing public safety communications networks failed. Additionally, because alternative technologies were used so infrequently, there were reported problems with upkeep and maintenance of the equipment.⁴¹

If mobile service satellite capability is incorporated into a variety of device models then satellite devices will be always charged and easy to use. Accordingly, MSV urges the FCC to require that the D Block licensee ensure that at least one model of each major device type is satellite-enabled within 36 months of the award of the license and that half of all models are satellite-enabled within 60 months. Such a requirement would further assure that satellite

⁴¹ See, e.g., Katrina Independent Panel Report at pp. 8, 10-11.

capabilities continue to be available as new models and even device types are introduced, so that public safety agencies unserved by the terrestrial network will have access to a selection of models, including those with the latest features.

Reliability and Resiliency. MSV also recognizes the importance of satellite service in providing a redundant link that bolsters overall reliability, because even the most resilient terrestrial network is subject to the same risk factors that create many emergencies. During a hurricane, major terrorist attack, or other catastrophe, terrestrial networks remain vulnerable no matter how well constructed they may be, because most of the critical failure points of a terrestrial network serving a given area – power supply, RF hardware, supporting structure, and backhaul handoff – exist in the same place, and a failure of any one can degrade or destroy the functionality of the site. A disaster of great intensity such as a tornado could destroy even hardened facilities in a small area, while a disaster covering a large geographic area such as a wildfire, hurricane, or earthquake can disable or destroy many sites over a wide geographic area because the critical failure points are located within the service area. Only a fraction of all sites would necessarily be hardened under the rules proposed in the *Third FNPRM*, and each of those will have multiple single-fault failure points even after being hardened. Networks that rely solely on terrestrial infrastructure are at risk of failure when it is needed most.

In contrast, satellite networks are all but immune from both localized and widespread terrestrial failure modes, because satellite ground systems can be “hardened” far beyond any standard that could reasonably be applied to a site-by-site network, and they are always backed up by redundant ground systems, themselves hardened, hundreds or thousands of miles away from each other. Satellite infrastructure can serve most of the geographic area of the United States (including land, water, and offshore coastal areas) immediately when disaster strikes and indefinitely during extended response periods, because the only infrastructure needed in the

affected area itself is a small user device and can be easily re-charged even if the power grid has been disabled. The *Katrina Independent Panel Report* cited satellite networks as “resiliency successes” in the aftermath of Katrina, noting that they “remained available and usable throughout the affected region.”⁴² Hurricane Katrina was not an exception – hurricanes, wildfires, earthquakes, and other natural disasters strike year after year – and events less catastrophic than Katrina also disrupt terrestrial networks. As John Picarello, the Fire Chief of the Pembroke Pines Fire Department recently stated:

Since 2000, Florida has been devastated by several hurricanes. Hurricanes Charley, Ivan, Wilma, Jeanne and Dennis have not only destroyed billions of dollars worth of property, but have also claimed several casualties. During these catastrophic times, infrastructure was destroyed and communications systems unusable. The exception has been satellite. In my experience, satellite technology has repeatedly shown itself to be the most reliable form of communication. When disaster strikes, I take some comfort knowing that my satellite phone will allow me to stay connected.⁴³

The resiliency afforded by satellites is only theoretical if only a few devices are satellite capable. First responders should have the option of carrying a primary device that offers failsafe satellite links and is also competitive in features, form factor, performance, and price. MSV’s proposals would address many of the practical concerns that may otherwise limit the effectiveness of the single handset requirement in achieving the needed resiliency.

Cost. While it may be too costly to provide terrestrial network services to all first responders, an “all or nothing” approach is unnecessary because the cost of enabling access to the network via satellite links is small. MSV has shown that the cost of providing a satellite

⁴² *Id.* at 6.

⁴³ *Letter*, Pembroke Pines Fire Department (filed in PS Docket No. 06-229, October 22, 2008).

mode is very modest, below \$3 per device at appropriate scale.⁴⁴ A single satellite-enabled handset also increases the likelihood of a single source of satellite-enabled devices and compatibility with a single service provider. Making available a greater number of devices will provide a greater opportunity for competitive pricing of both devices and services. The PSBL will then be better positioned to negotiate favorable and definitive agreements with one or more satellite service providers. In turn, there will be greater demand for these types, ultimately resulting in increased market penetration for satellite-enabled devices.

If satellite-enabled devices are not widely deployed, then the benefits of integrated satellite services will not be widely available. This will tend to affect most severely the agencies that have the greatest need for such devices, such as those covering greater land area with smaller populations and a correspondingly lower tax base. Those agencies should have, at minimum, access to mobile satellite service through satellite-enabled devices with prices and features comparable to the devices used by agencies that are within the terrestrial coverage area. Also severely impacted are those agencies which are too financially constrained to maintain satellite-only devices for the use when terrestrial service is down. At a manufacturer cost as low as \$3 per device, it would be far less expensive for an agency to include satellite capability in all of its devices than it would be for the same agency to purchase a few satellite-only devices for emergency use. Implementation of MSV's proposals will benefit these agencies by increasing the availability of integrated satellite services through multiple device types. The ideal public safety network would be available everywhere at all times regardless of conditions on the ground, and the modest adjustment of the satellite handset requirement MSV proposes can move the public safety broadband network closer to that ideal.

⁴⁴ *See supra* at 6-7. *See also Comments of Ericsson Inc*, 28 (filed June 20, 2008) (stating that “[s]atellite functionality can be incorporated into modern handsets with minor impact to the manufacturing cost to the handset”).

Conclusion

Experience has shown that the United States requires a nationwide, interoperable, wireless broadband public safety communications network. The licensing of the 700 MHz D block provides an excellent opportunity to develop such a network and ensure it is implemented in the manner that best serves the public interest and the emergency response community. In these comments, MSV has outlined a simple and inexpensive way in which the FCC can use satellite communications to significantly improve the availability, coverage, reliability, performance, and utility of the public safety network. Accordingly, MSV urges the Commission to adopt rules consistent with these comments.

Respectfully submitted,

/s/Bruce D. Jacobs

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Dated: November 3, 2008

Exhibit 1

Press releases



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For Immediate Release

Mobile Satellite Ventures Launches Satellite Priority Service for the Department of Homeland Security's National Communications System

National Communications System Will Use MSV Service for National Security and Emergency Preparedness Communications

Reston, Va., May 20, 2008 -- Mobile Satellite Ventures (MSV) today announced that the Department of Homeland Security's National Communications System (NCS) is partnering with MSV to provide Satellite Priority Service to the NCS priority service customers.

The NCS, part of the Department of Homeland Security's Office of Cyber Security and Communications, coordinates the planning and provisioning of national security and emergency preparedness (NS/EP) communications for Federal, state, and local governments under all emergency circumstances.

Under the provisions of the Satellite Priority Service, MSV now provides satellite push-to-talk and priority satellite telephony communications through its distribution alliance with Sprint's (NYSE:S) Emergency Response Team (ERT). Under this alliance, Sprint ERT will be responsible for nationwide deployment of the Satellite Priority Service for NCS.

MSV services provide NCS member agencies and departments, as well as U.S. State and territorial emergency operations centers, an always-on, readily-available means for interoperable communications during emergencies and daily operations that are immune to terrestrial congestion and infrastructure damage.

One of the unique benefits of MSV service available to the NCS is the capability to utilize satellite mutual aid radio talkgroups (SMART™). The SMART program enables NCS member agencies and departments to participate in nationwide two-way satellite radio talkgroups, improving the ability of departments and agencies to communicate and coordinate quickly and effectively in times of urgent need, regardless of location and infrastructure.

"NCS's priority communications services are used to maintain a state of readiness and to respond to and manage NS/EP events throughout the United States," said Vernon Mosley, NCS Deputy Program Director and Chief Engineer for GETS and WPS. "Satellite communications, such as those provided by MSV, give us reliable, always-available means to communicate and coordinate multiple agency operations in the event of national and local emergencies."

-more-

“Sprint ERT is excited to support MSV to deliver critical communications capabilities to the National Communications System,” said Darlene Braunschweig, vice president of Converged Network Solutions for Sprint. “The Satellite Priority Service developed by MSV is a great addition to Sprint ERT’s Rapid Deployment Solution offering.”

“MSV’s mobile satellite communications network arms national security leadership as well as Federal, state, and local emergency responders with an effective tool in coordinating multi-agency response to emergencies and crises throughout the nation,” said Larry D. Haughey, MSV group vice president for the Government Sector. “Equally important, NCS members will have the capability to form and manage their own satellite radio talkgroups that will further improve the ability of government agencies to communicate and coordinate quickly and effectively in times of urgent need, regardless of location and infrastructure.”

MSV is Redefining Wireless Communications™ with the development of its hybrid satellite-terrestrial communications network, based on MSV’s patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of areas including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

Mobile Satellite Ventures is a joint venture between Mobile Satellite Ventures LP and Mobile Satellite Ventures (Canada) Inc. MSVLP is owned and controlled by SkyTerra Communications, Inc. (OTCBB: SKYT).

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About the NCS

The mission of the NCS is to assist the President, the National Security Council, the Homeland Security Council, the Office of Science and Technology Policy and the Office of Management and Budget, in the coordination of the planning for and provisioning of national security and emergency preparedness communications for the Federal Government under all circumstances, including crisis or emergency, attack, recovery and reconstitution.

<http://www.ncs.gov>

About Mobile Satellite Ventures and SkyTerra Communications, Inc.

MSV delivers mobile wireless voice and data services primarily for public safety, security, fleet management and asset tracking in the U.S. and Canada. The company’s next-generation hybrid satellite-terrestrial communications network is expected to provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. When completed, the network will support communications in a variety of areas including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services. Mobile Satellite Ventures is a joint venture between Mobile Satellite Ventures LP and Mobile Satellite Ventures (Canada) Inc. MSVLP is owned and controlled by SkyTerra Communications, Inc. (OTCBB:SKYT). For more information go to: <http://www.msvlp.com>.

Statement under the Private Securities Litigation Reform Act

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For Immediate Release

Mobile Satellite Ventures Provides Satellite Communications for United States Earthquake Preparedness and Safety

Central US Earthquake Consortium joins rapidly growing list of public safety organizations forming Satellite Mutual Aid Radio Talkgroups with MSV

Reston, Va., June 11, 2008 – Mobile Satellite Ventures (MSV) today announced that it has joined with the Central United States Earthquake Consortium (CUSEC) to form a new satellite mutual aid radio talkgroup (SMART) dedicated to the preparation for and response to earthquakes throughout the central United States.

CUSEC is a partnership of the federal government and eight states most affected by earthquakes in the central U.S. including Alabama, Arkansas, Illinois, Indiana, Kentucky, Mississippi, Missouri and Tennessee. The organization serves as the coordinating hub for the multi-state region and as a partnership of organizations to mediate disasters and save lives caused by earthquakes in the central U.S.

Working with MSV, CUSEC will manage and approve talkgroup participation by federal, tribal, state and local public safety agencies, and appropriate private sector users with public safety missions. This new earthquake preparedness satellite talkgroup enables critical and interoperable communications at all levels of public safety agencies and facilities in the eight-state region. For those agencies already using MSV's technology, these talkgroups represent a major step forward in having reliable and interoperable communications in the event of a natural disaster such as an earthquake where terrestrial networks are damaged or congested.

"We see this as an excellent opportunity to expand connectivity between our member states," said Jim Wilkinson, executive director of CUSEC. "The need to have redundancy in communications systems is amplified by the large area of the earthquake threat and the multi-jurisdictional issues."

"Many do not realize that two very active and dangerous seismic zones - The New Madrid and Wabash Valley seismic zones - are located in the central United States," said Jim Corry, vice president of Government Solutions for MSV. "The newly established "CUSEC-1" SMART talkgroup will serve as an important supplement to existing interoperable communications. CUSEC can now make this tool available to all levels of public safety and emergency response for organizations operating throughout its eight-state partnership region."

The CUSEC SMART talkgroup joins a growing family of nationwide and regionally-focused talkgroups, administered by MSV and managed and controlled by the organizing federal, tribal, state or local agencies. These include nationwide public safety and national security SMART talkgroups managed by the Department of Justice and the Department of Homeland Security's National Communications System (NCS), and regional SMART talkgroups being formed or operating in more than 30 states across the nation and the District of Columbia.

All public safety organizations with active accounts on the MSV network are eligible and encouraged to join CUSEC's SMART talkgroup at no charge. A copy of the Standard Operating Procedures and application are available from: CUSEC-1@cusec.org or by calling (901) 544-3570 or MSV Customer Service at 1 (800) 216-6728.

MSV is Redefining Wireless Communications™ through its development of a hybrid satellite-terrestrial communications network, based on MSV's patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of areas including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

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For Immediate Release

Mobile Satellite Ventures Expands Public Safety Communications Networks Throughout 14 Midwest States

Satellite communications company continues development of regional satellite mutual aid radio talkgroups across the United States

Reston, Va., July 30, 2008 – Mobile Satellite Ventures (MSV) today announced that it has partnered with the Indiana Department of Homeland Security, Response and Operations Division (IDHS) to manage and monitor the Mid-West Satellite Mutual Aid Radio Talkgroup (MWSMART) operating on the MSV satellite communications network.

MWSMART is the fourth, multi-state, regional talkgroup provided gratis by MSV to facilitate rapid, reliable and interoperable communications over satellite for public safety operations and emergency responders. Working with state and local public safety agencies, MSV has already helped establish SMART talkgroups serving 26 states located throughout the Gulf Coast, Mid-Atlantic and Midwest regions.

In coordination with MSV, the IDHS will manage, provide 24x7 monitoring, and approve participation in MWSMART by federal, state, tribal, and local public safety agencies - and appropriate private sector users with a public safety mission - located in Indiana, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Nebraska, North Dakota, South Dakota, West Virginia and Wisconsin.

This new mid-west regional talkgroup enables critical and interoperable communications at all levels of public safety agencies and facilities in this 14-state region. For those agencies already using MSV's technology, these talkgroups represent a major step forward in public safety interoperability, particularly when terrestrial networks are damaged or congested.

"The Indiana Department of Homeland Security and MSV are working together to enhance public safety communications throughout the Midwestern United States," said Jim Corry, vice president of Government Solutions for MSV. "MWSMART serves as an additional communications tool developed to improve interoperability during emergencies as well as for day-to-day operations."

MWSMART joins a rapidly growing family of nationwide and regionally-focused talkgroups, provided by MSV but managed and controlled by the organizing federal, tribal, state or local agency. These include nationwide public safety and national security/emergency preparedness talkgroups managed by the Department of Justice and the Department of Homeland Security's National Communications System (NCS).

All public safety organizations in the Midwest region with active accounts on the MSV network are eligible and encouraged to join MWSMART at no charge by way of application to the IDHS. A copy of the Standard Operating Procedures and application are available from: MWSMART@dhs.IN.gov or by calling (317) 232-3849.

MSV is Redefining Wireless Communications™ through its development of a hybrid satellite-terrestrial communications network, based on MSV's patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of market segments including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

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For Immediate Release

Mobile Satellite Ventures Expands U.S. Regional Public Safety Communications Networks Coverage from Coast to Coast

Satellite communications teams with the State of Washington to launch NorthWest Satellite Mutual Aid Radio Talkgroup (NWSMART) blanketing seven states

Reston, Va., September 3, 2008 – Mobile Satellite Ventures (MSV) today announced that it has joined with the State of Washington’s Military Department Emergency Management Division to launch the NorthWest Satellite Mutual Aid Radio Talkgroup serving public safety interests throughout seven states in the northwestern United States including Alaska, California, Idaho, Montana, Oregon, Washington and Wyoming.

NWSMART is the fifth in a planned network of nine regionally-focused, locally managed talkgroups across the nation enabling critical and interoperable communications at all levels of public safety agencies and facilities.

In coordination with MSV, the Washington State Emergency Management Division including its state Emergency Operations Center will manage, provide 24x7 monitoring, and approve participation in NWSMART by federal, tribal, state, and local public safety agencies - and appropriate private sector users with a public safety mission.

“Such emergencies as flooding in the mid-west and south, severe summer storms in the east, and wildfires in the west can occur anywhere across the nation – from rural to highly-populated centers,” said Susan Miller, senior vice president of Satellite Services for MSV. “To respond rapidly and efficiently, officials need multi-agency emergency communications that can be brought online quickly. The NWSMART, along with our four other regional satellite mutual aid radio talkgroups supported by MSV and managed by separate public safety agencies, are designed to simplify public safety communications interoperability, particularly when terrestrial networks are damaged or congested.”

The NWSMART multi-state regional talkgroup is provided by MSV to facilitate rapid, reliable and interoperable communications over satellite for public safety operations and emergency responders. Working with state and local public safety agencies, MSV has already helped establish regional SMART talkgroups serving 30 states throughout the United States – from the east to west coasts and several U.S. territories.

NWSMART joins a rapidly expanding family of nationwide and regionally-focused talkgroups provided by MSV but managed and controlled by the organizing federal, tribal, state or local agency. The family of talkgroups includes nationwide public safety and national security/emergency preparedness talkgroups managed by the Department of Justice and the Department of Homeland Security's National Communications System (NCS).

All public safety organizations with active accounts on the MSV network are eligible and encouraged to join NWSMART at no charge by way of application to the Washington State Emergency Management Division. A copy of the Standard Operating Procedures and application are available from: NWSMART@emd.wa.gov or by calling (253) 512-7035/7036.

MSV is Redefining Wireless Communications™ through its development of a hybrid satellite-terrestrial communications network, based on MSV's patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of areas including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

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For Immediate Release

Mobile Satellite Ventures Extends Regional Public Safety Communications Networks Throughout the American Southwest

Southwest Satellite Mutual Aid Radio Talkgroup is the Next Pillar in MSV's Vision of Interoperable Regional Groups Across the Nation

Reston, Va., September 8, 2008 – Mobile Satellite Ventures (MSV) has added the sixth regional Satellite Mutual Aid Radio Talkgroup to its expanding family of nationwide and regionally-focused talkgroups enabling interoperable communications and designed specifically for public safety and public service organizations.

Today, California's Contra Costa County Fire Protection District (CCCFFPD) established the Southwest Satellite Mutual Aid Radio Talkgroup (SW-SMART) operating on the MSV satellite communications network.

"The creation of the SW-SMART is the latest step in MSV's vision to establish as many as nine regionally focused and nationally interoperable talkgroups for use by public safety providers for emergency operations as well as for day-to-day operations," said Susan Miller, senior vice president for Satellite Services for MSV. "SW-SMART is the sixth, multi-state, regional talkgroup designed to facilitate rapid, reliable and interoperable communications over satellite."

Working with national, state and local public safety agencies, MSV has already helped establish SMART talkgroups serving the Nation's Capital and 38 states located throughout the Gulf Coast, Mid-Atlantic, Midwest and Southwest regions of the United States.

According to the operating procedures developed by the CCCFFPD and MSV, the CCCFFPD will manage, provide 24x7 monitoring, and approve participation in SW-SMART by federal, state, tribal, and local public safety agencies - and appropriate private sector users with a public safety mission - located throughout Arizona, California, Colorado, New Mexico, Nevada, Oklahoma, Texas and Utah.

"The Contra Costa County Fire Protection District is thrilled to have this highly reliable and easy-to-use communications tool. Our new southwestern regional talkgroup enables critical and interoperable communications at all levels of public safety agencies and facilities in an eight state region," said Kody Kerwin, telecommunications specialist for the Contra Costa County Fire Protection District. "The new SW-SMART is a major step forward in improving public safety interoperability throughout our region of the country."

All public safety organizations operating throughout the southwestern United States with active accounts on the MSV network are eligible and encouraged to join SW-SMART at no charge by way of application to California's Contra Costa County Fire Protection District. A copy of the Standard Operating Procedures and application to join SW-SMART are available from: SWSMART@cccfd.org or by calling 925-941-3553 or 925-941-3551.

In addition to the growing family of regional SMART talkgroups, MSV has helped establish two nationwide public safety and national security/emergency preparedness talkgroups managed by the Department of Justice and the Department of Homeland Security's National Communications System (NCS).

MSV is Redefining Wireless Communications™ through its development of an integrated satellite-terrestrial communications network, based on MSV's patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of market segments including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

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For Immediate Release

Regional Satellite Mutual Aid Radio Talkgroups Now Extend from the Atlantic to the Pacific and Beyond

California State Office of Emergency Services Establishes Western Satellite Mutual Aid Radio Talkgroup (W-SMART) Enabling Interoperable Public Safety Communications throughout 12 Western States

Reston, Va., September 12, 2008 – Regional Satellite Mutual Aid Radio Talkgroups over the Mobile Satellite Ventures' (MSV) communications network now extends coast to coast and beyond.

Today, the California State Office of Emergency Services (CA-OES) established the Western Satellite Mutual Aid Radio Talkgroup (W-SMART) operating on the MSV satellite communications network. With the activation of W-SMART, MSV now has regional talkgroups extending from the Atlantic Ocean to the Pacific Ocean enabling and facilitating interoperable communications designed specifically for public safety and public service organizations.

W-SMART is the seventh in a planned network of nine inter-connected and regionally-focused talkgroups providing public service organizations a rapid, reliable and interoperable tool to communicate for day-to-day operations and during times of emergencies. Working with MSV, the CA-OES will manage, provide 24x7 monitoring, and approve participation in W-SMART by federal, state, tribal, and local public safety agencies – as well as appropriate private sector users with a public safety mission - located throughout Alaska, Arizona, California, Colorado, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming.

“Working with national, state and local public safety agencies, MSV has already helped establish SMART talkgroups serving the Nation’s Capital and 39 states located throughout the Gulf Coast, Mid-Atlantic, Midwest, Northwest, Southwest and Western regions of the United States,” said Susan Miller, senior vice president of Satellite Services for MSV. “Additionally, two more multi-state SMART talkgroups are under development for the Northeast and Southeast regions that, when operational, will complete SMART communications in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. The regional talkgroups enable critical and interoperable communications at all levels of public safety agencies and facilities.”

“The California State Office of Emergency Services fully recognizes the value of easy-to-use interoperable communications for daily operations and for emergency response,” said Henry R. Renteria, Director of the California Governor’s Office of Emergency Services.

“Using W-SMART, the California State Office of Emergency Services will be able to stay in continuous contact with our operating units throughout this vast 12-state region regardless of the condition or congestion on the terrestrial communications systems,” noted Jim Corry, vice president of Government Solutions for MSV.

All public safety organizations operating throughout the western United States with active accounts on the MSV network are eligible and encouraged to join W-SMART at no charge by way of application to the California Office of Emergency Services. A copy of the Standard Operating Procedures and application to join W-SMART are available from: WSMART@oes.ca.gov or by calling 916-845-8605 or 619-525-4291.

In addition to the growing family of regional SMART talkgroups, MSV has helped to establish two nationwide public safety and national security/emergency preparedness talkgroups managed by the Department of Justice and the Department of Homeland Security's National Communications System (NCS).

MSV is Redefining Wireless Communications™ through its development of an integrated satellite-terrestrial communications network, based on MSV's patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of market segments including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

Mobile Satellite Ventures is a joint venture between Mobile Satellite Ventures LP and Mobile Satellite Ventures (Canada) Inc. MSVLP is owned and controlled by SkyTerra Communications, Inc. (OTCBB: SKYT).

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About Mobile Satellite Ventures (www.msvlp.com)

MSV delivers mobile wireless voice and data services primarily for public safety, security, fleet management and asset tracking in the U.S. and Canada. The company's next-generation integrated satellite-terrestrial communications network is expected to provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. When completed, the network will support communications in a variety of market segments including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services. Mobile Satellite Ventures is a joint venture between Mobile Satellite Ventures LP and Mobile Satellite Ventures (Canada) Inc. MSVLP is owned and controlled by SkyTerra Communications, Inc. (OTCBB: SKYT).

Statement under the Private Securities Litigation Reform Act

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For Immediate Release

Mobile Satellite Ventures Launches Southeastern U.S. Regional Public Safety Communications Network

Fairfax County, Virginia Office of Emergency Management and Department of Public Safety Communications to manage new satellite mutual aid radio talkgroup for 12 states and the Nation's Capital

Reston, Va., September 25, 2008 – Mobile Satellite Ventures (MSV) today announced that in cooperation with the Fairfax County, Virginia, Office of Emergency Management and Department of Public Safety Communications will create and manage the South East Satellite Mutual Aid Radio Talkgroup (SE-SMART) operating on the MSV satellite communications network.

SE-SMART is the eighth, multi-state, regionally-focused and managed talkgroup provided by MSV to facilitate rapid, reliable and interoperable communications over satellite for public safety operations and emergency responders. Working with national, state and local public safety agencies, MSV has already helped establish SMART™ talkgroups serving 42 states across the U.S., the District of Columbia, Puerto Rico and the U.S. Virgin Islands.

In coordination with MSV, the Fairfax County OEM and DPCS will manage, provide 24x7 monitoring, and approve participation in SE-SMART by federal, state, tribal, and local public safety agencies - and appropriate private sector users with a public safety mission - located in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia and the District of Columbia.

This new southeastern regional talkgroup enables critical and interoperable communications at all levels of public safety agencies and facilities in this 12-state region and the District of Columbia. For those agencies already using MSV's technology, these talkgroups represent a major step forward in public safety interoperability, particularly when terrestrial networks are damaged or congested.

“Enhancing public safety and emergency response communication interoperability is at the core of MSV's satellite mutual aid radio talkgroup program,” said Susan Miller, senior vice president for satellite services for MSV. “Working with the Fairfax County OEM and DPSC, we have found a proactive communications partner focused on implementing solutions, such as SE-SMART, to improve interoperability during emergencies as well as for day-to-day operations.”

SE-SMART is the latest in a rapidly growing family of nationwide and regionally-focused talkgroups, provided by MSV but managed and controlled by the organizing federal, tribal, state or local agency. These include nationwide public safety and national security/emergency preparedness talkgroups managed by the Department of Justice and the Department of Homeland Security's National Communications System (NCS).

All public safety organizations operating throughout the southeastern United States with active accounts on the MSV network are eligible and encouraged to join SE-SMART at no charge by way of application to the Fairfax County OEM and DPCS. A copy of the Standard Operating Procedures and application to join SE-SMART are available from: SESMART@fairfaxcounty.gov or by calling Ed Gerow at 703-280-0681.

MSV is Redefining Wireless Communications™ through its development of an integrated satellite-terrestrial communications network, based on MSV's patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of market segments including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

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For Immediate Release

Mobile Satellite Ventures Completes Nationwide Public Safety Satellite Communications Network with the Launch of the Northeast Region Mutual Aid Talkgroup

SMART Network of nine regionally-managed talkgroups enables interoperable communications for public safety officials in all 50 states, DC, U.S. Virgin Islands, and Puerto Rico

Reston, Va., October 1, 2008 – Mobile Satellite Ventures (MSV) today announced that it has completed a nationwide network of nine-regionally managed Satellite Mutual Aid Radio Talkgroups (SMART™) enabling interoperable communications among law enforcement and public safety organizations across the country and a number of U.S. territories.

In conjunction with the Connecticut Department of Public Safety, Division of State Police, MSV is launching the Northeast Satellite Mutual Aid Radio Talkgroup (NE-SMART) operating on the MSV satellite communications network.

Working with MSV, the Connecticut State Police (CSP) will manage and approve NE-SMART participation by federal, state, local and tribal public safety agencies - and appropriate private sector users with a public safety mission - located in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

“The launch of NE-SMART with the Connecticut State Police fulfills MSV’s vision of a nationwide network of regionally-focused talkgroups developed to enhance communications interoperability for public safety organizations,” said Susan Miller, senior vice president for satellite services for Mobile Satellite Ventures. “MSV’s SMART program, now operational in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands, provides the public safety community an additional communications tool for multi-agency response to emergencies and to facilitate daily operations.”

The new NE-SMART talkgroup completes MSV’s nationwide network of nine regionally-focused and managed SMART talkgroups. NE-SMART is a tool for enabling critical and interoperable communications at all levels of public safety agencies and facilities in the 10-state northeast region. These talkgroups represent a major step forward in public safety communications and interoperability, particularly when terrestrial networks are damaged or congested.

All public safety organizations with active accounts on the MSV network are eligible and encouraged to join NE-SMART at no charge by way of application to the Connecticut State Police. A copy of the Standard Operating Procedures and application are available from: NESMART@po.state.ct.us or by calling (860) 685-8280.

MSV is Redefining Wireless Communications™ through its development of an integrated satellite-terrestrial communications network, based on MSV's patented ancillary terrestrial component (ATC) technology. The company expects its next-generation network will provide seamless, transparent and ubiquitous wireless coverage of the United States and Canada to conventional handsets. MSV plans to launch two of the most powerful commercial satellites ever built that will enable this network to support communications in a variety of market segments including public safety, homeland security, aviation, transportation and entertainment, by providing a platform for interoperable, user-friendly and feature-rich voice and high-speed data services.

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Exhibit 2

Proposed Rules

Proposed Rules

Parts 27 and 90 of Title 47 of the Code of Federal Regulations are amended as follows:

1. The authority citation for Part 27 continues to read as follows:

AUTHORITY: 47 U.S.C. 154, 301, 302, 303, 307, 309, 332, 336, and 337 unless otherwise noted.

2. The following new section to subpart N of Part 27 is added, immediately after § 27.1305, to read as follows:

§ 27.1306 Satellite Capability Requirements

The Upper 700 MHz D Block licensee shall make available at least one model of each major device type which incorporates an integrated satellite solution and half of all models must incorporate satellite communications capability. For purposes of this rule, major device types include the following: (i) PC cards, defined as data-oriented devices intended to be attached to a laptop or other computing device to enable connections to a network; (ii) handsets, defined as traditional voice-oriented handsets whose primary purpose is voice communications (but may include access to data services); and (iii) Personal Digital Assistant (“PDA”) devices, defined as converged voice/data devices whose primary purpose includes both voice and data communications. The first satellite-enabled device type must be made available within 36 months of the award of the D block license. One model of each device type and half of all models must be made available pursuant to the provisions of this rule within 60 months of the award of the D Block license.

3. Section 27.1310(g) is amended to read as follows:

§ 27.1310 Network sharing agreement

(g) The terms, conditions, and timeframes pursuant to which the Upper 700 MHz D Block licensee must incorporate satellite communications capabilities pursuant to 27.1306.

4. The authority citation for Part 90 continues to read as follows:

AUTHORITY: Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), and 332(c)(7).

5. The following new section to subpart AA of Part 90 is added, immediately after § 90.1405, to read as follows:

§ 90.1406 Satellite Capability Requirements

The Upper 700 MHz D Block licensee shall make available at least one model of each major device type which incorporates an integrated satellite solution and half of all models must incorporate satellite communications capability. For purposes of this rule, major device types include the following: (i) PC cards, defined as data-oriented devices intended to be attached to a laptop or other computing device to enable connections to a network; (ii) handsets, defined as traditional voice-oriented handsets whose primary purpose is voice communications (but may include access to data services); and (iii) Personal Digital Assistant (“PDA”) devices, defined as converged voice/data devices whose primary purpose includes both voice and data communications. The first satellite-enabled device type must be made available within 36 months of the award of the D block license. One model of each device type and half of all models must be made available pursuant to the provisions of this rule within 60 months of the award of the D Block license.

6. Section 90.1410(g) is amended to read as follows:

§ 90.1410 Network sharing agreement

(g) The terms, conditions, and timeframes pursuant to which the Upper 700 MHz D Block licensee must incorporate satellite communications capabilities pursuant to 90.1406.