

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

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| In the Matter of |) | |
| |) | |
| Fourth Annual Report to Congress on |) | IB Docket No. 10-99 |
| Status of Competition in the Provision of |) | |
| Satellite Services |) | |

REPLY COMMENTS OF GLOBALSTAR LICENSEE LLC

Globalstar Licensee LLC (“Globalstar”) hereby respectfully responds to the comments filed in the International Bureau’s (“Bureau’s”) above-captioned satellite competition proceeding. As the Satellite Industry Association points out in its comments, the worldwide satellite services industry continues to grow, and satellite service providers are continually encountering new sources of competition.¹ Accordingly, in its next satellite competition report, the Commission should find that there is “effective competition” for satellite services.

In contrast to other parties who filed comments, one company, Iridium Satellite LLC (“Iridium”), presented claims that are both irrelevant to this proceeding and without merit.² In particular, Globalstar urges the Commission to ignore Iridium’s baseless claims that (i) expanded terrestrial operations in the Big LEO L band could harm Iridium’s current or future mobile satellite service³ and (ii) Globalstar is somehow to blame for Iridium’s failure to gain access to spectrum in certain foreign markets.⁴

¹ Comments of the Satellite Industry Association, IB Docket No. 10-99, at i, 3-20 (Aug. 23, 2010).

² Comments of Iridium Satellite LLC, IB Docket No. 10-99 (Aug. 23, 2010) (“Iridium Comments”).

³ *Id.* at 5.

⁴ *Id.* at 6-7.

First, the Bureau’s satellite competition proceeding is the wrong forum for Iridium’s claims regarding terrestrial operations in the Big LEO L band. Just two months ago, the Commission undertook consideration of these terrestrial use issues in its pending Notice of Proposed Rulemaking and Notice of Inquiry (“*NPRM/NOI*”) in ET Docket No. 10-142, where it proposed to “take steps to make additional spectrum available for new investment in mobile broadband networks while ensuring that the United States maintains robust mobile satellite service capabilities.”⁵ In response to the Commission’s *NPRM/NOI*, Globalstar filed comments urging the Commission to adopt a new, more flexible regulatory framework for terrestrial operations in the MSS bands, in order to increase terrestrial broadband investment and generate a range of critical public interest benefits.⁶ Iridium also filed comments in that proceeding, arguing against any expansion of terrestrial operations in the Big LEO L band and asserting that terrestrial operations must remain ancillary.⁷ The Commission will resolve these terrestrial use issues in ET Docket No. 10-142.

Iridium’s claim that Globalstar is somehow to blame for Iridium’s failure to gain access to certain frequencies in some unidentified foreign markets, presumably in Europe, is baseless.⁸ Globalstar has participated in these European proceedings solely for the purpose of ensuring that it has adequate L-band spectrum to expand its subscribership and services through the life of its

⁵ *Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz*, ET Docket No. 10-142, Notice of Proposed Rulemaking and Notice of Inquiry, FCC 10-126, ¶ 1 (rel. July 15, 2010) (“*NPRM/NOI*”).

⁶ Comments of Globalstar, Inc., ET Docket No. 10-142 (Sep. 15, 2010).

⁷ Comments of Iridium Satellite LLC, ET Docket No. 10-142 (Sep. 15, 2010).

⁸ Iridium Comments at 6-7. The only foreign country that Iridium specifically identifies in its comments is Germany.

second-generation MSS constellation. As Globalstar has previously explained⁹ (and as Iridium is also fully aware), the reason that a number of European countries have not permitted Iridium to operate its TDMA downlink below 1621.35 MHz is the potential harmful interference caused to Radio Astronomy Service (“RAS”) operations in the 1610.6-1613.8 MHz band. Since the adoption of the original Big LEO MSS spectrum allocations, the ITU’s Radio Regulations and European Radiocommunication Committee (“ERC”) member countries have required that MSS operations meet certain emissions limits in order to prevent interference to the RAS.¹⁰ Iridium’s compliance with these requirements has always been a matter of concern to the RAS community and European regulators, and there have been numerous complaints in Europe about interference into the RAS service.¹¹ Unless and until Iridium can demonstrate that such interference can be avoided, European regulatory bodies will understandably remain reluctant to permit TDMA operations below 1621.35 MHz.

⁹ See Opposition of Globalstar to Petition to Deny, IBFS File Nos. SAT-AMD-20091221-00147, *et al.*, at 18-20 (Apr. 26, 2010).

¹⁰ See, e.g., European Radiocommunications Committee (ERC) Decision of 30 June 1997 on the Harmonised Use of Spectrum for Satellite Personal Communication Services (S-PCS) operating within the bands 1610-1626.5 MHz, 2483.5-2500 MHz, 1980-2010 MHz and 2170-2200 MHz (ERC/DEC/(97)03), at 3, *available at*: <<http://www.erodocdb.dk/Docs/doc98/official/pdf/DEC9703E.PDF>> (Radio Regulation S5.372 “requires that harmful interference shall not be caused to stations of the radio astronomy service using the band 1610.6 – 1613.8 MHz by stations of the radio determination-satellite and mobile-satellite services in the bands 1610 – 1626.5 MHz.”).

¹¹ See, e.g., Committee on Radio Astronomy Frequencies (CRAF), *Test measurements at the Leeheim monitoring station in the RAS band 1610.6-1613.8 MHz on 26.2.2010*, issued 4 March 2010 in Working Group SE40 of the Electronic Communications Committee (“Nearly 60% of all channels in the RA band show interference [from Iridium satellites] exceeding the threshold values.”); German Report of Harmful Interference, March 30, 2006 (referenced in Globalstar’s *Ex Parte* presentation attached to letter from Globalstar Counsel to Marlene Dortch, FCC Secretary, IB Docket 02-364, at 3-4 (Feb. 6, 2007)); Letter from Markus Schreiber, Bundesnetzagentur, to FCC International Bureau (June 22, 2006) (reporting unwanted emissions from Iridium into the radio astronomy band 1610.6-1613.8 on a daily basis in violation of International Radio Regulations 15.10 and 15.11).

Thus, in considering the state of competition in the satellite marketplace, the Bureau should ignore Iridium's meritless claims and find that satellite services are subject to "effective competition."

Respectfully submitted,

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