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October 29, 2010

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

Re: ET Docket No. 10-142
Ex Parte Notice

Dear Ms. Dortch:

On Thursday, October 28, 2010, L. Barbee Ponder IV, General Counsel & Vice President, Regulatory Affairs, for Globalstar, Inc. ("Globalstar"), Broderick Johnson of Bryan Cave LLP, Steve Berman of Lawler, Metzger, Keeney & Logan, LLC, and I met separately with David Grimaldi, Chief of Staff and Media Legal Advisor for Commissioner Mignon Clyburn, and John Giusti, Chief of Staff and Legal Advisor for Wireless, Public Safety and International for Commissioner Michael Copps. On Friday, October 29, 2010, the same representatives for Globalstar met with John Leibovitz, Paul Murray, Blaise Scinto, and Jeremy Marcus of the Wireless Telecommunications Bureau.

At these meetings, we discussed issues raised in Globalstar's comments on the above-captioned Notice of Inquiry and urged the Commission to move forward with an NPRM in this proceeding as expeditiously as possible. Rapid action in this proceeding is essential to resolving the oncoming spectrum gap for mobile broadband services. As Chairman Julius Genachowski points out in his October 29, 2010 in the Washington Post, "With the ever-increasing demand on our airwaves, we risk running out of bandwidth. . . . Over the next five years, the amount of mobile data traffic is expected to increase at least 35-fold."¹ The Commission's recent OBI Technical Paper found that, given this ongoing explosion of demand for bandwidth, a spectrum deficit approaching 300 MHz is likely by 2014.² Clearly, making enough additional spectrum available to bridge this growing gap is critical to America's future competitiveness and global technology leadership. As Chairman Genachowski states, the United States "has no choice but

¹ "Building Better Wireless Networks," FCC Chairman Julius Genachowski, Washington Post (Oct. 29, 2010) ("Genachowski Editorial").

² "Mobile Broadband: The Benefits of Additional Spectrum," OBI Technical Paper Series, at 2 (Oct. 2010).

to make more spectrum available for mobile broadband and to find new ways to use spectrum more efficiently.”³

During our meetings, we pointed out that the fastest means of addressing the growing spectrum deficit is to provide MSS licensees with greater flexibility to use their MSS spectrum for terrestrial operations. Greater terrestrial flexibility in the MSS bands will make new spectrum capacity available almost immediately for mobile broadband services. Significantly, there are *100 MHz* of spectrum in the MSS bands that can be used for terrestrial broadband operations, including Globalstar’s nearly 20 MHz allotment of terrestrial use spectrum in the Big LEO band. In contrast to other service bands, Globalstar’s spectrum can be added to the nation’s broadband “spectrum inventory” very quickly, without the need for legislation or the relocation of incumbent licensees. The Commission should take advantage of this unique opportunity and issue its NPRM on MSS-terrestrial flexibility as soon as possible.

Pursuant to section 1.1206(b)(2) of the Commission’s rules, 47 C.F.R. § 1.1206(b)(2), this *ex parte* notification is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,

/s/ Regina M. Keeney
Regina M. Keeney

cc: David Grimaldi Paul Murray
John Giusti Blaise Scinto
Jon Leibovitz Jeremy Marcus

³ See Genachowski Editorial.