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January 27, 2011

VIA ELECTRONIC FILING

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

Re: Permitted Oral *Ex Parte* Presentation
IB Docket Nos. 05-20, 02-10 & 07-101

Dear Ms. Dortch:

On January 26, 2011, representatives of The Boeing Company met with representatives of the International Bureau to discuss the technical and operational rules for the Aeronautical Mobile-Satellite Service (“AMSS”), Earth Stations Onboard Vessels (“ESVs”) and Vehicle-Mounted Earth Stations (“VMES”). Participating in the meeting on behalf of the International Bureau were Howard Griboff, Andrea Kelly, Sean O’More, Jennifer Balatan, Paul Locke and Sankar Persuad. Participating in the meeting on behalf of Boeing were Audrey Allison, Alan Rinker and the undersigned.

The discussion during the meeting largely reflected the attached talking points, which were distributed during the meeting, along with Boeing’s prior written submissions in each of the referenced proceedings. The Boeing representatives emphasized that some of the technical and operational restrictions that have been imposed on VMES and ESV networks should not be imposed on AMSS networks because the restrictions are unnecessary to avoid harmful interference and would prevent CDMA-based AMSS networks from making the most efficient use of spectrum to provide broadband services. For example, Boeing’s AMSS network has operated for many years in a manner that, although not consistent with the currently-existing VMES and ESV rules, nevertheless is fully compliant with the Commission’s underlying goals for operations of satellite networks in the Ku-band and has not resulted in any complaints of harmful interference.

If the Commission were to mirror its AMSS rules on the VMES or ESV rules that exist today, the Commission should provide an alternate procedural path toward securing an AMSS license. Specifically,

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the Commission should give AMSS applicants the option to secure a license either by demonstrating compliance with the AMSS rules that are adopted, or by demonstrating compliance with the more technically-neutral standards that exists today in Section 25.220 of the Commission's rules.

Recognizing the growing experience of the satellite industry in operating AMSS, VMES and ESV networks without resulting in harmful interference, the Commission should eventually streamline its technical and operational rules for all three services to remove spectrally inefficient restrictions (such as the requirement to operate 1 dB below the off-axis e.i.r.p. density mask) and technically non-neutral requirements (such as the $10 \cdot \log(N)$ rule). This could be done in the context of the petitions for reconsideration that are currently pending in the VMES and ESV proceedings and in the context of a further notice and, thereafter, a second order, in the AMSS proceeding.

Please contact the undersigned if you have any questions.

Sincerely,

/s/ Bruce A. Olcott

Bruce A. Olcott

Counsel to The Boeing Company