

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

In the Matter of)
)
Improving Communications Services for) CG Docket No. 11-41
Native Nations)

COMMENTS OF GLOBALSTAR, INC.

Globalstar, Inc. (“Globalstar”) appreciates the opportunity to comment on the Federal Communications Commission’s Notice of Inquiry in the above-captioned proceeding (the “*NOI*”) and commends the Commission for its commitment to improving communications services in the Native Nations.¹ As the Commission notes, a “deep digital divide persists between the Native Nations of the United States and the rest of the country.”² With Commission action, Globalstar and other mobile satellite service (“MSS”) providers can help bridge that divide. MSS providers can deliver connectivity efficiently to virtually all Tribal areas, no matter how rural or remote. Globalstar urges the Commission to take the regulatory action needed to make this cost-efficient means of communications available to all Americans living on Tribal lands.

I. GLOBALSTAR’S MSS NETWORK CAN PROVIDE IMPROVED AND COST-EFFECTIVE COMMUNICATIONS SERVICES ON TRIBAL LANDS

There are substantial barriers to deploying telecommunications facilities in Native Nations including, as the Commission observes, the prevalence of remote and rugged terrain, the lack of roads and other critical infrastructure, and the limited financial resources to pay for

¹ *Improving Communications Services for Native Nations*, Notice of Inquiry, 26 FCC Rcd 2672 (2011).

² *Id.* ¶ 1.

telecommunications services.³ These barriers make it especially challenging to deploy terrestrial telecommunications on Tribal lands. By contrast, MSS technology can surmount many of these barriers.

Satellite technology “can be particularly important for serving remote, unserved, and underserved communities nationwide, including those on Tribal lands.”⁴ “Satellite has the advantage of being both ubiquitous and having a geographically independent cost structure, making it particularly well suited to serve high-cost, low-density areas.”⁵ In particular, MSS offers “an excellent technology for delivering basic and advanced telecommunication services to unserved, rural, insular or economically isolated areas.”⁶

Satellite signals reach distant and remote locations that are unlikely to be served by terrestrial deployments. With its advanced MSS technology, Globalstar intends to play a significant role in providing communications services to all Americans, including those who live on Tribal lands. Globalstar and other MSS operators already play an important role in providing emergency and safety-of-life services in the Native Nations. With the necessary Commission action, Globalstar and other MSS providers can do much more to reduce the gap between the communications services available to Americans living on Tribal lands and the rest of the country.

³ *Id.* ¶ 2.

⁴ *Id.* ¶ 56.

⁵ “Connecting America: The National Broadband Plan,” at 137 (rel. March 16, 2010), available at: <<http://download.broadband.gov/plan/national-broadband-plan.pdf>> (“National Broadband Plan”).

⁶ *Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band*, Report and Order, 15 FCC Rcd 16127, ¶ 32 (2000).

Globalstar has been dedicated to providing mission-critical MSS offerings to the public, including emergency services and connectivity in rural and remote areas, since initiating commercial MSS in its Big LEO spectrum in 2000. Today, Globalstar uses its global non-geostationary (“NGSO”) MSS constellation to provide affordable, high-quality mobile satellite voice and data services to over 400,000 customers around the world. Globalstar has focused recently on developing affordable, consumer-oriented devices and services. Its innovative SPOT Satellite GPS Messenger (“SPOT”) device, which helps provide emergency and safety-of-life services to individual consumers beyond terrestrial wireless reach, has been used to initiate over 1,100 rescues on land and at sea, in more than 50 countries.

Globalstar launched the first six satellites of its second-generation MSS constellation on October 19, 2010. It plans to complete the deployment of its new constellation by the end of 2011, with three more launches of six satellites each. By 2012, Globalstar expects to become the first global LEO MSS voice and data company to have launched a state-of-the-art, second-generation MSS system. Its new second-generation MSS system is expected to support reliable voice and data services well into the next decade.

Globalstar’s unique constellation will provide uninterrupted service via overlapping satellite coverage, regardless of the terrain or rural location. Its network will extend voice, data, and position location services via an installed global data backbone that includes a network of ground stations. With its new constellation and ground systems, Globalstar will provide consistently reliable service to existing voice and duplex data customers throughout its global footprint, including advanced (and affordable) voice, two-way data, and messaging services, with data speeds of 256 kbps for fixed and mobile service. With these second-generation offerings, Globalstar will be able to provide improved and cost-effective communications services throughout the Native Nations and the rest of the country’s rural and remote areas.

II. THE COMMISSION SHOULD PROMOTE THE PROVISION OF ROBUST SATELLITE SERVICES ON TRIBAL LANDS BY PERMITTING TERRESTRIAL FLEXIBILITY IN MSS SPECTRUM

The Commission asks whether it can adopt any policies or rules to facilitate the use of satellite service by Native Nations.⁷ The answer is yes, the Commission can. The Commission can and should facilitate the provision of robust, state-of-the-art satellite services on Tribal lands by adopting a flexible framework for terrestrial operations in the Big LEO MSS band. By moving quickly to permit terrestrial flexibility in the MSS band, the Commission will help ensure the financial viability of the MSS sector, and enable providers to maximize their efforts in rural and remote areas such as the Native Nations.

Globalstar has set forth in the Commission's pending MSS-terrestrial rulemaking a detailed policy blueprint for the terrestrial use of MSS spectrum.⁸ Globalstar proposes that the Commission grant flexibility regarding end-user equipment, customer subscriptions, the kinds of services provided, choices of technology, and lease arrangements to MSS licensees who provide substantial satellite service.⁹ Globalstar believes that this terrestrial flexibility will significantly

⁷ *NOI* ¶ 61.

⁸ *See* Comments of Globalstar, Inc., WT Docket No. 10-142 (Sep. 15, 2010) (“Globalstar Comments”); *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*, Notice of Proposed Rulemaking and Notice of Inquiry, 25 FCC Rcd 9481 (2010) (“*MSS NPRM & NOI*”).

⁹ Globalstar Comments at 16-20. To effect these changes, the Commission can either adopt rules of general applicability in its above-captioned rulemaking proceeding, or grant this flexibility on a case-by-case basis through fair, even-handed consideration of licensees' waiver requests. *See* Reply Comment of Globalstar, Inc., SAT-MOD-20101118-00239, at 5-9 (Dec. 9, 2010).

advance the Commission's goal of making more spectrum available for broadband.¹⁰ If Globalstar can use its spectrum terrestrially where customers generally do not depend upon MSS, it will be better able to defray the substantial capital costs of deploying its second-generation space and ground infrastructure, as well as the ongoing operational costs of providing MSS. This stronger financial foundation will enable Globalstar to move forward aggressively to provide robust, state-of-the-art satellite services to the Native Nations and other rural and remote communities. Globalstar urges the Commission to complete its pending MSS-terrestrial rulemaking, and consider the benefits that a financially reinvigorated MSS provider like Globalstar can provide to citizens of the nation's Tribal lands.

¹⁰ In contrast to other service bands, Big LEO spectrum can be added to the nation's broadband "spectrum inventory" very quickly, without legislation or relocating incumbent licensees. *See* Globalstar Comments at 22-23.

III. CONCLUSION

With Commission action, Globalstar and other mobile satellite service providers can help bridge the deep digital divide that persists between the Native Nations of the United States and the rest of the country. MSS providers can deliver connectivity efficiently to virtually all Tribal areas, no matter how rural or remote. Globalstar urges the Commission to take the regulatory action needed to make this cost-efficient means of communications available to the Americans living on Tribal lands.

Respectfully submitted,

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