

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

In the Matter of	)	
	)	
Fixed and Mobile Services in the Mobile	)	ET Docket No. 10-142
Satellite Service Bands at 1525-1559 MHz	)	WT Docket Nos. 04-356, 07-195
and 1626.5-1660.5 MHz, 1610-1626.5 MHz	)	
and 2483.5-2500 MHz, and 2000-2020 MHz	)	
and 2180-2200 MHz	)	

**REPLY COMMENTS OF GLOBALSTAR, INC.**

Globalstar, Inc. (“Globalstar”) hereby replies to the July 8, 2011 comments of the Engineers for the Integrity of Broadcast Auxiliary Services Spectrum (“EIBASS”),<sup>1</sup> filed in response to the May 20, 2011 Public Notice issued by the Federal Communications Commission’s (“Commission’s”) Spectrum Task Force.<sup>2</sup>

The Spectrum Task Force’s *Public Notice* invited technical input on ways of maximizing the mobile broadband potential of spectrum bands in the 2 GHz range, including the 2 GHz MSS band at 2000-2020 MHz/2180-2200 MHz, the AWS-2 “H block” at 1995-2000 MHz, the AWS-2 “J block” at 2020-2025 MHz/2175-2180 MHz, and the AWS-3 spectrum at 2155-2175 MHz. Irrelevant to this request, EIBASS challenges the Commission’s allocation of spectrum in the Big LEO band at 2483.5-2500 MHz and the treatment of grandfathered Broadcast Auxiliary Service (“BAS”) facilities in that band. EIBASS’s arguments on these issues clearly fall outside

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<sup>1</sup> EIBASS Comments to Spectrum Task Force Request for Technical Input, ET Docket No. 10-142 (July 8, 2011).

<sup>2</sup> Public Notice, *Spectrum Task Force Invites Technical Input on Approaches to Maximize Broadband Use of Fixed/Mobile Spectrum Allocations in the 2 GHz Range*, ET Docket No. 10-142, WT Docket Nos. 04-356, 07-195, DA 11-929 (rel. May 20, 2011) (“*Public Notice*”).

the scope of the *Public Notice*, and the Spectrum Task Force should therefore disregard EIBASS's July 8 filing.<sup>3</sup>

Globalstar nonetheless responds briefly to EIBASS's meritless arguments regarding the use of Big LEO spectrum. Contrary to EIBASS's claims, mobile satellite service ("MSS") ancillary terrestrial component ("ATC") systems and grandfathered TV BAS facilities operating on Channel A10 can share spectrum and coexist on a co-channel basis at 2483.5-2495 MHz. Given the limited number of grandfathered BAS systems in this band, interference to BAS operations can be minimized through reasonable coordination practices, as required under the Commission's rules.<sup>4</sup> Protecting BAS systems from interference does not require the reconfiguration of the Big LEO MSS band or the relocation of BAS channel A10. Accordingly, the Commission has repeatedly affirmed the integrity of the existing framework at 2483.5-2500 MHz and rejected the spectrum "re-farming" proposal submitted years ago by the Society of Broadcast Engineers.<sup>5</sup>

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<sup>3</sup> EIBASS also raised these Big LEO band issues in its May 27, 2011 petition for reconsideration of the Commission's April 6, 2011 Report and Order in ET Docket No. 10-142. See EIBASS Petition for Reconsideration, ET Docket No. 10-142 (May 27, 2011); *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*, Report and Order, 26 FCC Rcd 5710 (2011). Globalstar will respond to this petition for reconsideration by the relevant deadline, which has yet to be determined.

<sup>4</sup> 47 C.F.R. § 25.254(a)(3) (requiring that ATC operators in the Big LEO band "take [any] steps necessary . . . through frequency coordination" to avoid causing interference to other services operating on assigned frequencies in the 2450-2500 MHz band.").

<sup>5</sup> See *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands*, Report and Order and Notice of Proposed Rulemaking, 18 FCC Rcd 1962, ¶¶ 201-206 (2003) (finding that "ATC base stations could be operated on selected frequencies so that interference to these fixed and mobile stations could be avoided" and noting that "ATC operators will be required to protect against adjacent-channel and brute-force overload interference to previously licensed users."); *Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands*, Report and Order, Fourth Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 13356, ¶ 75 (2004); *Flexibility for Delivery of*

In its comments, EIBASS does not provide the Commission with any reason to revisit these sound decisions. EIBASS focuses on interference to grandfathered BAS systems in the Chicago area that was caused by a base station facility in St. John, Indiana operated by Open Range Communications (“Open Range”).<sup>6</sup> Open Range’s terrestrial operations at 2483.5-2500 MHz are pursuant to its own Special Temporary Authority, however, which was granted by the Commission following the September 2010 suspension of Globalstar’s ATC authority.<sup>7</sup> These terrestrial services are entirely separate and independent from Globalstar’s operations in the Big LEO MSS band, and Open Range’s conduct under this STA is outside of Globalstar’s control and regulatory responsibility. Thus, Open Range’s alleged failure to coordinate and to mitigate interference on a timely basis says nothing about Globalstar’s future ATC activities in the Big LEO band. Globalstar is fully aware of its obligation to protect BAS operations from interference under the Commission’s rules and its own ATC authorization, and it intends to

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*Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands*, Memorandum Opinion and Order and Second Order on Reconsideration, 20 FCC Rcd 4616, ¶¶ 93-94 (2005) (confirming that “Big LEO MSS licensees desiring ATC authorization will be able to coordinate with BAS licensees to avoid causing harmful interference to BAS Channel A10”); *Amendment of Parts 1, 21, 73, 74, and 101 of the Commission’s Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands*, Order on Reconsideration and Fifth Memorandum Opinion and Order and Third Memorandum Opinion and Order and Second Report and Order, 21 FCC Rcd 5606, ¶ 41 (2006) (stating that the Commission had considered “the potential for mutual interference between ATC operations and the grandfathered [BAS] operations in the band, but . . . ultimately determined that these services would be able to share spectrum and that any potential interference concerns could be mitigated through coordination.”).

<sup>6</sup> EIBASS Comments at 2-3.

<sup>7</sup> See *Globalstar Licensee LLC; Application for Modification of License to Extend Dates for Coming into Compliance with Ancillary Terrestrial Component Rules and Open Range; Request for Special Temporary Authority*, Order, 25 FCC Rcd 13114 (IB; WTB; OET 2010); *Open Range Request for Special Temporary Authority*, Order on Reconsideration, 25 FCC Rcd 13383 (IB; WTB; OET 2010); *Open Range Communications, Special Temporary Authority, Grant of Authority*, SAT-STA-20110106-00003 (Jan. 20, 2011).

comply fully with these requirements.<sup>8</sup> Thus, EIBASS's isolated examples of interference by another company should not be considered relevant to the Commission's spectrum policy in the Big LEO band.

In sum, EIBASS's May 20 comments are well outside the scope of the *Public Notice* and should be ignored by the Spectrum Task Force. With respect to the Big LEO band issues, EIBASS once again fails to demonstrate that the existing regulatory framework in this band is insufficient to protect grandfathered BAS systems from interference.

Respectfully submitted,

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<sup>8</sup> See note 4 *supra*; see also *Globalstar LLC – Request for Authority to Implement an Ancillary Terrestrial Component for the Globalstar Big LEO Mobile Satellite Services (MSS) System (Call Sign S2115)*, Order and Authorization, 21 FCC Rcd 398, ¶¶ 27-31 (2006) (noting that BAS licensees operating on grandfathered channel A10 “are entitled to operate free from harmful interference from ATC operation[s]” and “it is the ATC operator, not BAS licensees, that bears the risk of any difficulty of coordinating base-station operation” in this spectrum).