

December 14, 2011

**VIA ELECTRONIC FILING**

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

Re: Permitted Oral *Ex Parte* Presentation, IB Docket No. 05-20

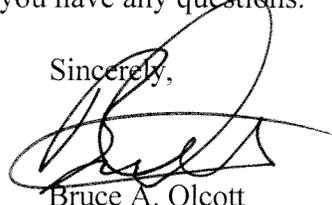
Dear Ms. Dortch:

On December 12, 2011, representatives of The Boeing Company met with Zac Katz, Chief Counsel and Senior Legal Advisor to Chairman Julius Genachowski; Mindel de la Torre, Chief of the International Bureau; Robert Nelson, Chief of the Satellite Division; and Gardner Foster, Assistant Chief of the International Bureau. 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 this proceeding. The Boeing representatives stressed the need for the adoption of formal rules for applicants seeking authorizations to operate Aeronautical Mobile-Satellite Service ("AMSS") networks and governing the operation and modification of AMSS networks. Also discussed was the need to designate broadband satellite services that are provided to aircraft in the Ku-band as primary applications of the Fixed Satellite Service, in the same manner that broadband satellite services to ships (Earth Stations Onboard Vessels) and broadband satellite services to terrestrial vehicles (Vehicle Mounted Earth Stations) are regulated.

Please contact the undersigned if you have any questions.

Sincerely,



Bruce A. Olcott

# AERONAUTICAL MOBILE SATELLITE SERVICE

## THE BOEING COMPANY

IB Docket 05-20

December 2011

- Since this docket was initiated in 2005, Aeronautical Mobile-Satellite Service (“AMSS”) broadband networks operating in the Ku-band have become much more numerous.
  - Boeing operates an AMSS network to serve the critical communications needs of the highest levels of the federal government.
  - Widespread commercial availability and use of AMSS to accommodate the public’s desire for 24/7 broadband connectivity cannot be too far in the future.
  - The National Broadband Plan identified satellite technologies as particularly well suited to provide broadband to unserved markets due to its advantages “of being both ubiquitous and having a geographically independent cost structure.”

***The Problem*** – Absent formal rules, the time required to process AMSS applications is lengthy.

- 12 months to process and grant Boeing’s AMSS transmit application.
  - 19 months to process and grant ARINC’s AMSS application.
  - 23 months to process and grant Viasat’s AMSS application.
  - 15 months to process and grant Row 44’s AMSS application.
  - 13 months to process and grant Panasonic’s AMSS application.
  - In contrast, less than 8 months on average to process and grant a satellite license.
- The delay primarily results from uncertainty and disputes regarding the necessary elements of an AMSS application. AMSS applicants must borrow and adapt rules from other services. Competitors are unfettered in claiming non-compliance with unwritten regulations.

***The Solution*** – Adopt rules for aeronautical satellite earth stations that mirror those successfully used for earth stations onboard vessels (“ESVs”) and vehicle-mounted earth stations (“VMES”).

- Given the numerous technical similarities between AMSS, VMES and ESV networks, imposing fundamentally different regulations on AMSS would be arbitrary and capricious.
- Widespread industry support exists for adopting service rules that permit primary operations of AMSS networks in the Ku-band.
  - The AMSS rulemaking docket includes detailed comments from all segments of the satellite industry that were remarkably consistent in their support for AMSS rules.
  - The VMES rulemaking docket also includes comments expressing support for permitting AMSS to operate using the same rules that were proposed for VMES.
- The need for service rules for AMSS is heightened by the proposals of Qualcomm, UTC and Winchester Cator to introduce wireless services in the Ku-band FSS spectrum allocation.