

Light square declaratory ruling is premature and not in the best interest of all parties. The radio spectrum in question by its basic nature best utilized for satellite to ground communication. Terrestrial uses were considered in order to make the spectrum more usable for the entire public. The use that Light Squared has petitioned was never envisioned when the spectrum was allotted. While it is true that neighboring spectrum users are not specifically protected from interference, they must be considered as the overriding use of all spectrums is to advance the most public good. Misapplication of an application spectrum must be considered more broadly than the basic technical order. Light Squared should have considered this before making major investment in such system, further the Conditional Waiver Should also not have been issued by the commission. When allotting radio spectrum, the most public good must be the overriding principle.