



February 8, 2012

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

Re: LightSquared Petition for Declaratory Ruling
IB Docket No. 11-109; ET Docket No. 10-142

Dear Ms. Dortch:

On behalf of AirTouch Communications, I am writing in support of the Petition for Declaratory Ruling filed by LightSquared Inc. on December 20, 2011 and placed on public notice by the Commission on January 27, 2012.

As the Commission knows, LightSquared will operate its planned 4G LTE wireless on a wholesale basis. This approach will enhance competition significantly by facilitating the ability of new providers to enter local, regional, and nationwide markets and serve consumers. For example, AirTouch will be able to provide cellular services to rural and other signal challenged areas of the United States using their patented fixed wireless hardware with its enhanced signal capabilities.

More specifically, this wholesale-only model will allow LightSquared's partners to overcome the high barriers to market entry—including potentially prohibitive network deployment and roaming costs, as well as spectrum scarcity—that could otherwise unduly raise their operating costs, or preclude them from operating altogether. LightSquared's ability to offer wireless services on a wholesale basis is an important factor for enabling AirTouch to compete with other wireless carriers and to offer wireless services to customers that might not otherwise be able to receive them because the signal challenged areas in which they live or work. By affirming LightSquared's rights as described in the Petition, the Commission would facilitate our ability to deliver the tangible benefits of more robust competition to consumers in the form of higher quality service, lower rates, and expanded voice and broadband service options.

At the same time, granting LightSquared's Petition would reinforce the integrity of the Commission's rules, and provide the regulatory certainty necessary for companies like AirTouch Communications and LightSquared to attract investment and continue developing innovative communications solutions that truly benefit consumers. It bears emphasis that LightSquared's Petition does *not* ask the Commission to waive its rules or afford LightSquared special treatment in any way. Rather, the Petition merely asks the Commission to affirm its *existing* legal and policy framework for spectrum licensing and usage rights, which (i) has been in place for decades; (ii) formed the basis for the technical standards developed cooperatively by LightSquared and the commercial GPS industry almost a decade ago; and (iii) has been relied upon by

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LightSquared and its investors, customers, and others throughout the implementation of the LightSquared network.

Hundreds of millions of American consumers would benefit from the greater competition that would be made possible by LightSquared's network—consistent with the objectives of the *National Broadband Plan*. Accordingly, I urge the Commission to grant LightSquared's Petition on an expedited basis.

Respectfully submitted,

AIRTOUCH COMMUNICATIONS, INC.



Jerome S. Kaiser
Vice President and Chief Financial Officer