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December 7, 2012

Hon. Julius Genachowski, Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: LightSquared,  
DA 12-1863, IB Docket No. 12-340; RM-11683

Dear Chairman Genachowski:

Last year, about this time, I wrote a letter to you concerning LightSquared's proposed plan to provide nationwide 4G cell phone and broadband internet through a combination of satellite and terrestrial based equipment. Concerns raised by the GPS industry resulted in LightSquared's being unable to move forward under that plan.

I understand that since then, LightSquared has proposed that it be allowed to give up 10 MHz of bandwidth in the portion of the spectrum that concerned the GPS industry, and in exchange, receive the right to share a 5 MHz portion of the bandwidth at another point on the spectrum. As a commercial lawyer, who deals every day with business disputes and compromises, this seems to be an ideal solution to the problem, one which will protect our GPS industry as well as allowing LightSquared to provide a significant economic advantage to rural areas all over America, and particularly in Kentucky.

As I told you in my last letter, I practice law in Lexington, Kentucky, as senior partner in a small law firm that represents individuals and small businesses. One of my areas of practice is aviation law, and I am an instrument certified private pilot myself. I was admitted to the bar in 1971, and although I have spent most of the time since then engaged in the private practice of law, I have also served on the staff of the City Attorney of Lexington, and have acted as a criminal public defender in the Federal Court system.

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In my aviation law practice, I have represented a number of private and commercial pilots before the Federal Aviation Administration and in other forums. I am a member of the Aircraft Owners and Pilots Association (AOPA).

In my last letter, I described my legal practice, like many law practices in Kentucky, as regional in scope. I regularly represent clients in the Central and Eastern areas of the state, and attending depositions and making court appearances in these counties often requires my travel to areas which do not have any wireless broadband service at all, even on the 2G level. Most of these areas have cell service that is barely adequate for voice communications, if at all.

I have read about the proposal of LightSquared to build a system that will include both transmissions from satellites, and transmissions from terrestrial towers. The use of satellite signals makes providing coverage in rural and remote areas possible. Only LightSquared has proposed such a system.

My understanding is that the new proposal by LightSquared has solved all issues relating to the GPS industry, and that there is no technical reason why LightSquared cannot move forward with its plans.

The FCC serves a vital role in government by regulating the use of the broadcast spectrum. I understand that our nation must utilize all of the bandwidth available to us, because not doing so wastes bandwidth that could be used by useful applications. As a fiscal conservative, I support the position of LightSquared, in part, because it does not propose to use any government funding or taxpayer money for its development. Everyone who has actually made a living in the private sector, as I have, knows that competition is the best thing possible in any economic market. LightSquared proposes to increase competition at the retail level by selling its services on a wholesale basis to local retailers, who will operate in rural areas which have been badly hit by the recession.

Therefore, I respectfully urge the FCC to grant LightSquared's application for a license modification that would allow it to use a portion of the bandwidth that would not interfere with GPS devices. Our nation needs the benefit of both LightSquared service, and the GPS system.

Very truly yours,



Charles W. Arnold, Esq.