

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
LightSquared Subsidiary LLC Request to Modify its Ancillary Terrestrial Component (ATC) Authorization	)	IB Docket No. 12-340 DA 12-1863
	)	
LightSquared Subsidiary, LLC Petition for Rulemaking	)	RM-11683

**REPLY COMMENTS OF  
CTIA – THE WIRELESS ASSOCIATION®**

CTIA – The Wireless Association® (“CTIA”) submits these comments in response to LightSquared’s filings to modify its ATC authority for terrestrial mobile service in the 1670-1680 MHz band and to develop new rules for terrestrial mobile use of the 1526-1536 MHz band.<sup>1</sup> These comments make the following points:

- CTIA supports measures to make additional spectrum available for mobile broadband services and to promote competition, innovation and investment in the wireless marketplace.
- CTIA supports the LightSquared effort to enter the mobile broadband market.
- CTIA believes that LightSquared’s proposal to relinquish a portion of its spectrum rights in exchange for access to 5 MHz at 1675-1680 should not impact the Spectrum Act’s mandate that the federal government reallocate and auction 15 MHz of spectrum between 1675-1710 MHz for wireless broadband use.
- Opening a rulemaking to develop rules for terrestrial mobile use of the 1526-36 MHz band will give the Commission and parties an opportunity to evaluate any concerns

---

<sup>1</sup> *Federal Communications Commission Invites Comment on LightSquared Request to Modify its ATC Authorization*, Public Notice, IB Docket No. 12-340, DA 12-1863 (rel. Nov. 16, 2012); *Modification Application of LightSquared Subsidiary LLC*, IBFS File Nos. SAT-MOD-20120928-00160, -00161, SES-MOD-20121001-00872 (filed Sept. 28, 2012 and Oct. 1, 2012); *LightSquared Subsidiary, LLC Petition for Rulemaking*, RM-11683 (filed Sept. 28, 2012).

regarding interference to Global Positioning System (“GPS”) receivers in commercial mobile networks and devices prior to launch.

## DISCUSSION

### I. THE LIGHTSQUARED PROPOSAL WOULD INTRODUCE ADDITIONAL SPECTRUM AND COMPETITION INTO THE MOBILE BROADBAND MARKET.

CTIA has long been an advocate of measures that bring new spectrum to market and that promote competition, innovation, and investment in the mobile broadband marketplace. As CTIA has previously observed, the U.S. wireless marketplace is a “virtuous cycle” driven by competition, innovation and investment.<sup>2</sup> New spectrum spurs new services, which fuel construction of advanced networks, which drive innovative devices and operating systems, which spur novel applications and content, which stimulate more use and demand. This cycle has produced immense benefits. Mobile broadband, for example, has provided consumers with a wide range of new health-related and educational opportunities. And the wireless industry is a key element of growth and innovation in the U.S. economy.<sup>3</sup>

The growth and innovation in wireless is dependent on spectrum, however, and an urgent need exists for additional spectrum for mobile broadband services. As Chairman Genachowski recently observed, “no one can factually dispute that there is a spectrum crunch.”<sup>4</sup> Unleashing more spectrum must be seen as a national priority. CTIA has been an ardent supporter of efforts

---

<sup>2</sup> See, e.g., Comments of CTIA – The Wireless Association, WT Docket No. 11-186 (Dec. 5, 2011).

<sup>3</sup> See, e.g., Letter from Christopher Guttman-McCabe, CTIA, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 11-186 (Sept. 5, 2012) (presenting a paper demonstrating the economic impact on the wireless broadband industry).

<sup>4</sup> Julius Genachowski, Chairman, FCC, Panelist at the Stanford Institute for Economic Policy Research, September 12, 2012, available at [http://www.youtube.com/watch?v=P4KRktxj9sA&feature=player\\_embedded#t=1621s](http://www.youtube.com/watch?v=P4KRktxj9sA&feature=player_embedded#t=1621s).

by President Obama and the Administration, Congress, and the Commission to identify and allocate more spectrum to accommodate the explosive growth in demand for mobile broadband. Maintaining U.S. leadership in the global marketplace, advancing the U.S. economy, and meeting consumers' growing demand for broadband services can only be accomplished by introducing additional spectrum into the market.

LightSquared offers the opportunity of putting more spectrum to mobile broadband use and spurring even more robust competition in the broadband marketplace.

## **II. CTIA SUPPORTS LIGHTSQUARED'S PROPOSALS.**

### **A. LightSquared's Request Should Not Impede the Reallocation of 15 MHz of Spectrum From the 1675-1710 MHz Band for Wireless Broadband Use.**

The Middle Class Tax Relief and Job Creation Act of 2012 (the "Spectrum Act") mandates that by February 22, 2013 the Secretary of Commerce must identify 15 MHz of spectrum between 1675-1710 MHz for reallocation from federal government to commercial use, and then directs the Commission to license that spectrum by auction by February 22, 2015.<sup>5</sup> A key element of LightSquared's proposal involves gaining the right to operate on the lower 5 MHz of this band, from 1675-1680 MHz.

Over the last few years, government and industry stakeholders have made progress towards reallocation of the 1695-1710 MHz band for commercial use, and CTIA believes those efforts would not be thwarted by the LightSquared proposal to access the 1675-1680 MHz band. In 2010, the National Telecommunications and Information Administration ("NTIA") concluded that the 1695-1710 MHz band could be made available for wireless broadband services.<sup>6</sup> CTIA

---

<sup>5</sup> See Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 125 Stat. 156, § 6401 (2012) ("Spectrum Act").

<sup>6</sup> See *An Assessment of the Near-Term Viability of Accommodating Wireless Broadband Systems in the 1675-1710 MHz, 1755-1780 MHz, 3500-3650 MHz, and 4200-4220 MHz, 4380-4400 MHz*

and others in the wireless industry have expressed wide support for this action, and NTIA and the industry have been working together to establish the parameters by which such use could be accomplished.<sup>7</sup>

The Spectrum Act requires that 15 MHz be auctioned but it does not prohibit NTIA from making more than 15 MHz of spectrum in the 1675-1710 MHz band available for commercial wireless use. Making this spectrum available for commercial use would help ease today's mobile broadband spectrum crunch. So long as the LightSquared proposal to access the 1675-1680 MHz band does not jeopardize the reallocation and robust commercial use of the 1695-1710 MHz band, the Commission should pursue LightSquared's request to modify its ATC authorization.

**B. Opening a Rulemaking Will Give the Commission an Opportunity to Ensure that the Issues Regarding Interference With GPS Receivers Are Resolved**

Opening a rulemaking to develop rules for terrestrial mobile use of the 1526-36 MHz band will give the Commission and parties an opportunity to evaluate any concerns regarding interference to Global Positioning System ("GPS") receivers in commercial mobile networks and devices prior to launch.

LightSquared's earlier proposals to provide a terrestrial-based wireless broadband service in the L-Band evoked a well-documented debate regarding interference to GPS receivers, including those embedded in commercial wireless networks and devices. CTIA notes that

---

*Bands*, U.S. Department of Commerce, National Telecommunications and Information Administration (rel. Nov. 15, 2010), *available at* [http://www.ntia.doc.gov/files/ntia/publications/fasttrackevaluation\\_11152010.pdf](http://www.ntia.doc.gov/files/ntia/publications/fasttrackevaluation_11152010.pdf).

<sup>7</sup> For example, NTIA's Commerce Spectrum Management Advisory Committee (CSMAC) has a working group focused on the actions need to allow for the implementation of commercial wireless broadband services in the 1695-1710 MHz. *See, e.g.*, NTIA, "Framework for Work within CSMAC," (May 25, 2012), *available at* [http://www.ntia.doc.gov/files/ntia/meetings/framework\\_for\\_work\\_within\\_csmac\\_20120525.pdf](http://www.ntia.doc.gov/files/ntia/meetings/framework_for_work_within_csmac_20120525.pdf).

opening a rulemaking will give the Commission an opportunity to study LightSquared's proposed solution to resolve any remaining interference concerns to GPS receivers. If, after public comment and careful analysis of the record, the Commission concludes that the GPS interference concerns have been adequately addressed, the Commission should move forward expeditiously and grant LightSquared's proposals.

### **III. CONCLUSION**

New entrants such as LightSquared can promote more competition, innovation, and investment in the broadband marketplace, all to the benefit of U.S. consumers. CTIA therefore is supportive of LightSquared's efforts.

Respectfully submitted,

CTIA – THE WIRELESS ASSOCIATION®

By: /s/ Christopher Guttman-McCabe

Christopher Guttman-McCabe  
Vice President, Regulatory Affairs

Michael F. Altschul  
Senior Vice President & General Counsel

Scott K. Bergmann  
Assistant Vice President, Regulatory Affairs

CTIA – The Wireless Association®  
1400 16th Street, N.W., Suite 600  
Washington, D.C. 20036  
(202) 785-0081

January 11, 2013