

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)
)
Amendment of the Commission's Rules with) GN Docket No. 13-185
Regard to Commercial Operations in the 1695-)
1710 MHz, 1755-1780 MHz, and 2155-2180 MHz)
Bands)

COMMENTS OF GOGO, INC.

GoGo, Inc., ("GoGo"), by counsel, hereby submits its comments in the referenced proceeding. These comments focus on a single issue: The use of spectrum in the 1695-1710 band for ground to air service.

As the Commission is well aware, GoGo is the foremost provider of commercial air-to-ground and ground-to-air wireless broadband service in the United States. Demand for GoGo's service continues to grow, and GoGo views this proceeding as an excellent opportunity for it to obtain additional spectrum to meet customer growth for wireless broadband for persons traveling by aircraft. In its Notice of Proposed Rulemaking and Order on Reconsideration ("*NPRM*"), the Commission properly recognized that Title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (the "Spectrum Act") directs that the Commission make available additional spectrum for commercial wireless broadband. More specifically, it calls for use of spectrum in the 1695-1710 band for that purpose and the Commission in the *NPRM* has proposed to do so.

Use of the 1695-1710 band for ground to air service would further the goals of the Spectrum Act and satisfy the public interest requirement for several reasons. First, it would achieve the Spectrum Act's overarching goal of making additional spectrum available for commercial wireless broadband use. In so doing, it would help meet a rising need for additional wireless broadband capacity. Moreover, by permitting ground-to-air, but not air-to-ground use, a number of potentially complicated interference and coordination issues could be avoided. Finally, the Commission has proposed "to allow uplink/mobile and low power fixed operations in this band..." in its *NRPM* subject to certain conditions, and it appears that ground to air service falls within this proposed exception, or nonetheless should be permitted as it has similar characteristics to mobile uplink operations.

GoGo does not take issue with the Protection Zones concepts included in the *NPRM* and, if licensed, is prepared to comply with them. Moreover, GoGo is certain that it can operate without causing co-channel or adjacent channel interference to other licensees.

Respectfully submitted,

GOGO, INC.

/s/ Thomas Gutierrez
Thomas Gutierrez
Lukas, Nace, Gutierrez & Sachs, LLP
8300 Greensboro Drive, Suite 1200
McLean, VA 22102
Phone: (202)828-9470
Fax: (703) 584-8696

Counsel for GoGo, Inc.

September 18, 2013