

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

In the Matter of	)	
	)	
Expanding Access to Broadband and	)	
Encouraging Innovation through	)	GN Docket No. 13-114
Establishment of an Air-Ground Mobile	)	RM-11640
Broadband Secondary Service for	)	
Passengers Aboard Aircraft in the 14.0-14.5	)	
GHz Band	)	

To: The Commission

**REPLY COMMENTS OF AEROMOBILE COMMUNICATIONS LIMITED**

AeroMobile Communications Limited (“AeroMobile”) respectfully submits these Reply Comments on the Notice of Proposed Rulemaking (“NPRM”) proposing to establish an air-ground mobile broadband service on a secondary basis in the 14.0-14.5 GHz band.<sup>1</sup> AeroMobile, UK-based company jointly owned by Panasonic Avionics Corporation and Telenor, has developed technology that enables airline passengers to use their own mobile devices for voice, text and data applications onboard aircraft in flight. AeroMobile supports the Commission’s efforts in this proceeding, and urges the Commission to avoid any measure that would constrain airlines from offering the widest range of connectivity applications within the aircraft cabin.

AeroMobile’s in-flight mobile connectivity solution was launched in 2008 and operates on a large and growing number of commercial aircraft throughout Europe, Asia, Africa, the Middle East and the Americas. The AeroMobile system uses a low-power picocell to facilitate

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<sup>1</sup> *Expanding Access to Broadband and Encouraging Innovation through Establishment of an Air-Ground Mobile Broadband Secondary Service for Passengers Aboard Aircraft in the 14.0-14.5 GHz Band*, Notice of Proposed Rulemaking, GN Docket No. 13-114, RM-11640, 78 FR 41343 (rel. May 9, 2013) (Fed. Reg. July 10, 2013) (hereinafter “NPRM”).

connectivity to GSM-enabled devices within the aircraft cabin and a range of radiofrequency management techniques to prevent interference to terrestrial networks. AeroMobile equipment connects passenger devices to an aircraft's off-board communications system and is technically capable of operating with any off-board link, including satellite-based systems and the air-ground mobile broadband service contemplated in the NPRM. AeroMobile is developing next generation equipment that will enable new technologies, including Long Term Evolution ("LTE"), to support connectivity to passengers and crew.

AeroMobile agrees with the Commission that the proposed air-ground mobile broadband service (along with existing satellite-based options) should enable a "full range of communications services."<sup>2</sup> In addition, AeroMobile agrees with comments submitted by Gogo Inc. indicating that the Commission's rules should not restrict the types of onboard services that may be supported by off-board systems.<sup>3</sup> As Gogo correctly notes, in adopting rules and policies for the 800 MHz air-ground service, the Commission expressly confirmed that it sought "to let marketplace forces, rather than prescriptive regulations, determine the highest valued air-ground service applications" and that "a new licensee may provide any type of air-ground services (*i.e.*, voice telephony, broadband Internet, data, etc.) to any aircraft type...."<sup>4</sup> Similarly, like the Commission's rules for Ku-band earth stations aboard aircraft ("ESAAs"),<sup>5</sup> regulatory provisions

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<sup>2</sup> NPRM, ¶ 1.

<sup>3</sup> See Comments of Gogo Inc., RM-11640 (filed Aug. 26, 2013) at 11-12.

<sup>4</sup> *Id.* at 12 (citing Amendment of Part 22 of the Commission's Rules to Benefit the Consumers of Air-Ground Telecommunications Services, *Report and Order and Notice of Proposed Rulemaking*, 20 FCC Rcd 4403, 4431 ¶52 (2005)).

<sup>5</sup> See 47 C.F.R. §25.227.

should focus on operation of the off-board link (between the aircraft and the ground) and should not limit the types of connectivity applications that may be offered onboard the aircraft.

Affording airlines and their connectivity partners maximum flexibility with respect to in-cabin connectivity applications is essential given the pace of development in personal electronic devices and the ever-increasing demand for mobile voice, text, and data connectivity. Consumers in the United States and throughout the world expect to remain connected to the applications they use every day, even onboard aircraft in flight. As a result of these trends and significant technical work within international civil aviation and telecommunications regulatory bodies, the in-flight mobile connectivity solutions developed by AeroMobile have been certified by the Federal Aviation Administration (“FAA”) and the European Aviation Safety Agency (“EASA”) for use on U.S. and European aircraft, and are essentially implemented throughout world. As the Commission is aware, however, in-flight mobile voice, text and data applications are not offered by U.S. airlines and such connectivity is suspended onboard foreign aircraft while traversing U.S. airspace.

Far from raising social or technical concerns, in-flight voice, text and data connectivity is increasingly expected and relied upon. In fact, last year the FAA issued a study on the use of cell phones in flight.<sup>6</sup> The *Cell Phone Study* established that there were no reported cases of air rage or flight attendant interference onboard a number of surveyed foreign airlines that offer voice connectivity. This study is consistent with AeroMobile’s experience that demand for voice, text and data applications is growing rapidly, and that passenger access to such communications applications does not raise material social concerns. Moreover, years of in-

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<sup>6</sup> *Study of the Use of Cell Phones Onboard Aircraft*, Docket No. FAA-2012-0957, Notice of Availability and Request for Comments, 77 FR 54651 (rel. Sept. 5, 2012); *Study of the Use of Cell Phones Onboard Passenger Aircraft*, DOT/FAA/AR-12/30 (rel. July 2012) (“*Cell Phone Study*”).

flight mobile connectivity operations throughout every region of the world (with the exception of the United States) confirms that such operations do not raise interference issues.<sup>7</sup>

As the Commission develops regulatory measures to facilitate additional off-board capacity for in-flight connectivity (subject to adequate protections for incumbent services), it should not limit the types of connectivity applications that may be provided onboard the aircraft. Rather, as it has suggested in prior proceedings, the Commission should facilitate the implementation of in-flight mobile connectivity applications – including voice, text and data services – and ensure that U.S. and foreign airlines may provide such connectivity by any available off-board technology used in the United States. In this way, the Commission will facilitate continued innovation in advanced communications technologies, expand consumer choice in mobile communications applications and enable airlines to respond to market demand for in-flight connectivity options.

Respectfully submitted,

AEROMOBILE COMMUNICATIONS LIMITED



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Ann-Marie Mullan  
Head of Legal and Regulatory  
AeroMobile Communications Limited  
Pegasus Three, Pegasus Place  
Gatwick Road,  
Crawley, West Sussex,  
RH10 9AY, United Kingdom

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<sup>7</sup> In fact, in-flight mobile connectivity systems actually improve the interference environment by limiting the impact of mobile devices that are not powered off during flight.