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**L. Barbee Ponder IV**

General Counsel & Vice President Regulatory Affairs

March 14, 2014

*Via Electronic Filing*

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

Re: *Iridium Constellation LLC Petition for Rulemaking to Promote Expanded Mobile Satellite Service in the Big LEO MSS Band, RM-11697; Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, ET Docket No. 13-49 – Ex Parte Notice*

Dear Ms. Dortch:

On March 12, 2014, Thiago Reis Mefano of BNP Paribas, Jay Monroe, Chief Executive Officer of Globalstar, Inc. ("Globalstar"), and I met with Mindel De La Torre, Roderick Porter, Jose Albuquerque, and Jennifer Gilsenan of the International Bureau regarding the above-referenced proceedings. During this meeting, BNP Paribas, acting as agent for Globalstar's Lenders, and Globalstar expressed our respective opposition to the petition filed by Iridium to take almost 3 MHz of Globalstar's mobile satellite service ("MSS") spectrum in the Lower Big LEO band.<sup>1</sup> Globalstar utilizes the full L Band and the full S Band in its Big LEO spectrum on a daily basis throughout its global coverage area to provide critical voice and data communications, including life-saving communications associated with its SPOT line of consumer personal tracking devices. With the comment cycle closed, BNP Paribas and Globalstar requested that the Commission expeditiously deny and dismiss Iridium's petition.

We also discussed the Commission's proceeding on its rules governing the use of the 5 GHz band by Unlicensed National Information Infrastructure ("U-NII") devices.<sup>2</sup> Specifically, we addressed the need for the Commission to adopt certain safeguards to minimize the risk of harmful interference to Globalstar's licensed services from the deployment of outdoor access points in the U-NII-1 band. These safeguards should

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<sup>1</sup> Petition for Rulemaking of Iridium Constellation LLC (Feb. 11, 2013); *see* Opposition of Globalstar, Inc. to Petition for Rulemaking, RM-11697 (Dec. 2, 2013).

<sup>2</sup> *See Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band*, Notice of Proposed Rulemaking, 28 FCC Rcd 1769 (2013) ("5 GHz NPRM").

include not only the antenna standards detailed in Globalstar's *ex parte* letter filed on March 6, 2014,<sup>3</sup> but also a 2 dB "backstop" to ensure that any increase in the noise floor resulting from greatly expanded unlicensed use of Globalstar's licensed frequencies will have a limited impact on Globalstar's MSS network and customers. One of the Commission's stated purposes for expanding unlicensed use in the 5 GHz band is to promote innovation. Neither the Commission nor any parties to this proceeding, however, truly know what new technologies and new services will be developed this unlicensed spectrum over the next fifteen years. While Globalstar agrees that the Commission should work to find solutions to increasing Wi-Fi congestion in the United States, the Commission must ensure that Globalstar's licensed MSS operations are protected from harmful interference.

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this *ex parte* notification is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,



L. Barbee Ponder IV  
General Counsel & Vice President -  
Regulatory Affairs

cc: Mindel De La Torre  
Roderick Porter  
Jose Albuquerque  
Jennifer Gilsonan

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<sup>3</sup> Letter from Regina M. Keeney, Counsel to Globalstar, to Marlene Dortch, Secretary, FCC, ET Docket No. 13-49, at 2-3 (Mar. 6, 2014).