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*Via Electronic Filing*

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

Re: *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 13, 2014, on behalf of Globalstar, Inc. (“Globalstar”), Steve Berman of Lawler, Metzger, Keeney & Logan, LLC, and I spoke by telephone with Mark Settle of the Commission’s Office of Engineering and Technology regarding the above-captioned proceeding on its rules governing the use of the 5 GHz band by Unlicensed National Information Infrastructure (“U-NII”) devices.<sup>1</sup>

On this call, we expressed our great appreciation for the time and effort spent by Commission staff to resolve the difficult technical issues associated with the outdoor deployment of unlicensed access points in the U-NII-1 band. We also discussed regulatory approaches for protecting Globalstar’s licensed mobile satellite service (“MSS”) operations from harmful interference from outdoor U-NII-1 operations. We reiterated Globalstar’s general support for the antenna standard recently proposed by the National Cable & Telecommunications Association,<sup>2</sup> but indicated that Globalstar favors certain key refinements to this proposal. In particular, the Commission should not exempt all outdoor U-NII-1 access points that operate at a maximum conducted power up to 250 mW from an antenna restriction limiting the EIRP of antenna transmissions 30 degrees or more above the horizontal plane. Rather, the Commission should only permit already deployed outdoor U-NII access points to operate up to the proposed 250 mW conducted power level without complying with the new antenna standard. In addition, before

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<sup>1</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”).

<sup>2</sup> Letter from Rick Chessen, National Cable & Telecommunications Association, to Julius Knapp, Chief, Office of Engineering and Technology, FCC, ET Docket No. 13-49 (Mar. 4, 2014).

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allowing these deployed U-NII access points to operate outdoors in the U-NII-1 band, the Commission should approve such operations through the permissive change procedures described in section 2.1043 of its equipment authorization rules.<sup>3</sup> In their permissive change filings, prospective U-NII-1 operators should be required to describe where and how many of these previously installed access points are deployed and provide the basic technical parameters of these devices.

We also indicated that Globalstar continues to favor a regulatory “backstop” that would require the Commission to take immediate steps to mitigate any harmful interference to Globalstar’s MSS network and customers. If the Commission decides not to codify a harmful interference threshold, it should at least detail in the text of its 5 GHz U-NII-1 order its anticipated interference mitigation mechanisms. To facilitate this mitigation, the Commission should require U-NII-1 operators to inform the Commission if and where they plan to deploy a substantial number of new outdoor U-NII-1 access points (100 outdoor access points or more, for instance) and provide basic technical parameters of these outdoor access points. Operators should also describe their ability to control and manage these U-NII-1 devices through a centralized network operating system. Finally, the Commission should require operators to provide a formal, signed commitment that they will cooperate fully with the Commission and take the steps necessary to mitigate any harmful interference to Globalstar’s MSS network and customers.

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,

/s/ Regina M. Keeney  
Regina M. Keeney

cc: Mark Settle

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<sup>3</sup> 47 C.F.R. § 2.1043.