

March 28, 2014

VIA ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation
GN Docket No. 13-114; RM-11640**

Dear Ms. Dortch:

On March 26, 2014, representatives of Gogo Inc. (“Gogo”) met with staff of the Wireless Telecommunications Bureau (“WTB”), at their request, to discuss Gogo’s comments filed in the above-referenced docket.¹ Attending the meeting on behalf of Gogo were Anand Chari, Executive Vice President and Chief Technology Officer; Bill Gordon, Vice President of Regulatory Affairs; and David Martin and myself, as outside counsel to Gogo. Attending the meeting on behalf of the WTB were Roger Noel, Melissa Conway, Thomas Derenge, Linda Chang, Keith Harper, Audra Hale-Maddox, William Huber and (by phone) Tim McGuire.

In response to questions from staff, Gogo explained the process of equipment development, FAA certification, and network construction that a licensee in a potential 14 GHz air-ground mobile broadband service band would likely need to undertake. Gogo estimated that the development of new 14 GHz air-ground equipment and obtaining initial FAA certification (*i.e.*, a supplemental type certificate (“STC”)) for the airborne components could be accomplished in 18-24 months. Construction of the ground network – which could commence once the RF technology details are finalized, and well before an STC is obtained – could be completed in about two years.² Thus, with the airborne and ground equipment efforts proceeding on roughly parallel tracks, a licensee could easily commence service within the five year substantial service deadline Gogo suggested in its comments.³

Gogo reiterated its view that competition would best be served by dividing the proposed 500 MHz band into four 125 MHz licensees. A single 125 MHz license would be sufficient to yield a multi-fold increase in network capacity for any of the current competitors in the inflight communications sector, including those relying on satellite bandwidth. Moreover, as Gogo has

¹ See Comments of Gogo Inc., GN Docket No. 13-114 (Aug. 26, 2013).

² In its Comments, Gogo explained that full CONUS coverage above 10,000 feet could be achieved with only about 200 base stations nationwide. See *id.* at 8.

³ See *id.* at 8-9.

demonstrated with its current air-ground network, future technological advances should expand that capacity even further as more spectrum-efficient technologies are developed.

A four-license band plan would provide the best opportunity to alleviate capacity constraints for the several providers already operating in the sector, and would prevent the possibility that one licensee could block competitors or delay service to the public by warehousing the spectrum. In its comments, Gogo had also advocated that an aggregation limit of 125 MHz (one license) should apply for a three-year period.⁴ At the meeting, however, Gogo indicated it would not oppose allowing an aggregation of up to two licenses (a total of 250 MHz) at the auction. This would create a flexible auction which could result in two, three or four licensees depending on demand.

Finally, Gogo repeated its support for the proposed substantial service safe harbor, and indicated that there would be no reason for the safe harbor to vary depending on the number of licensees in the band, given that market realities would require each provider to offer a nationwide service.

Pursuant to Section 1.1206(b) of the Commission's rules, I am filing this notice electronically in the above-referenced docket. Please contact me directly with any questions.

Respectfully submitted,

/s/ Michele C. Farquhar

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⁴ See *id.* at 7.