

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

In the Matter of	)	
	)	
Iridium Constellation LLC Petition for	)	RM-11697
Rulemaking to Promote Expanded Mobile	)	
Satellite Service in the Big LEO MSS-band,	)	
	)	
Terrestrial use of the 2473-2495 MHz Band for	)	IB Docket No. 13-213
Low-Power Mobile Broadband Networks;	)	RM-11685
Amendments to Rules for the Ancillary	)	
Terrestrial Component of Mobile Satellite	)	
Service Systems	)	
	)	

**COMMENTS OF IRIDIUM CONSTELLATION LLC**

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**COMMENTS OF IRIDIUM CONSTELLATION LLC**

Iridium Constellation LLC (“Iridium”), by its attorneys, hereby submits its Comments on the Notice of Proposed Rulemaking (“Notice”) in the above-captioned proceeding.<sup>1</sup> Iridium operates in the 1.6 GHz Big LEO Band and takes no position on the merits of Globalstar’s Terrestrial Low Power Service (“TLPS”) proposal or the associated rule changes for the Big LEO 2.4 GHz band. The Commission, however, must ensure that any actions with respect to Globalstar’s petition are consistent with the continued success and growth of critical Big LEO satellite services relied upon by government, public safety, emergency first responders, critical infrastructure industries, and consumer users around the globe.<sup>2</sup> Indeed, the Commission has an opportunity to affirmatively promote the public interest by providing Iridium access to a modest

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<sup>1</sup> See Terrestrial Use of the 2473-2495 MHz Band for Low-Power Mobile Broadband Networks; Amendments to Rules for the Ancillary Terrestrial Component of Mobile Satellite Service Systems, IB Docket No. 13-213, RM-11685, *Notice of Proposed Rulemaking*, 28 FCC Rcd 15351 (2013) (“Notice”).

<sup>2</sup> See Notice at ¶ 2 (recognizing that the 1.6 GHz band “is not within the scope of this proceeding”).

amount of spectrum for important satellite services, particularly given the diminution of satellite availability that would be occasioned by grant of Globalstar’s request to create a new Terrestrial Low Power Service (“TLPS”).

## I. EXECUTIVE SUMMARY

The Commission has long recognized the essential and unique role of mobile satellite services (“MSS”).<sup>3</sup> In addition to the critical communications functionality MSS provides to communities and individuals in areas beyond the reach of terrestrial services, MSS is often the only method of communication during large scale emergencies and disasters.<sup>4</sup> As the Commission recognizes, MSS also provides a vital service for many key industries—particularly in the transportation, maritime, aviation, and petroleum sectors.<sup>5</sup> Because of their ubiquity and reliability, satellite services provide benefits to the public that cannot be recreated by any other communications platform.

Globalstar’s proposal, however, seeks to convert spectrum allocated and authorized for satellite services to purely terrestrial uses. The TLPS rules proposed in the Notice would eliminate the basic obligation of an MSS licensee deploying TLPS to even maintain a satellite system, let alone provide satellite service in the Big LEO band. As Globalstar candidly acknowledges, TLPS cannot co-exist with 2.4 GHz MSS. Wherever TLPS is deployed,

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<sup>3</sup> See, e.g., *Use of Returned Spectrum in the 2 GHz Mobile Satellite Service Frequency Bands*, Order, 20 FCC Rcd 19696, 19707, at ¶ 28 (2005) (“Returned Spectrum Order”) (outlining some of the many public benefits of continued access to mobile satellite services); *Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz*, Report and Order, 26 FCC Rcd 5710, 5711 ¶ 4 (2011) (“MSS Report and Order”) (noting the particular importance of MSS in emergency situations when terrestrial infrastructure is unavailable).

<sup>4</sup> MSS Report and Order at ¶ 4.

<sup>5</sup> *Id.*

Globalstar's duplex MSS, which relies on 2.4 GHz spectrum paired with 1.6 GHz spectrum, can no longer be offered. Indeed, Globalstar's TLPS business model contemplates the preclusion of 2.4 GHz satellite operations on a near-nationwide basis. As a result, Globalstar will effectively relegate its newly launched satellite constellation to just one-way simplex services.

As such, Iridium appreciates that the Commission expressly limited the scope of any proposed terrestrial relief to Globalstar's 2.4 GHz Band, and the Commission should strictly adhere to that bright line limitation. Indeed, the diminution of Big LEO satellite services inherent in Globalstar's petition underscores the importance of ensuring spectrum for the existing and future needs of Iridium. Assuming the Commission moves forward with Globalstar's proposal, Iridium will be the only Big LEO operator focused on providing the full range of critical satellite services to its public safety, government, industry, and individual users, including high-quality voice and innovative data solutions.

In such respects, the Commission has a clear-cut opportunity to promote continued growth and development of mobile satellite operations providing critical services in the Big LEO band. Concurrently with this filing, Iridium is submitting a revised proposal seeking a modest reallocation of 1.6 GHz band Big LEO MSS spectrum for its exclusive use. In its Supplemental Comments, Iridium offers a simple and elegant solution that affords additional spectrum to Iridium while addressing Globalstar's purported concerns about effects on its simplex or duplex services. The Commission can and should grant Iridium's revised proposal immediately, either independently or on a consolidated basis with taking action on the TLPS Notice.

## **II. IRIDIUM IS FOCUSED ON NEXT-GENERATION BIG LEO MOBILE SATELLITE SERVICES.**

In contrast to Globalstar—which for years has been focused on exploring options for terrestrial exploitation of its spectrum, and now seeks to deploy a network that will preclude

itself from offering robust two-way satellite services nationwide—Iridium has always been dedicated to providing innovative and reliable satellite services. Iridium is constantly working closely with its manufacturer partners to develop exciting, industry-leading products that are responsive to the specific critical communications needs of its customers. With the launch of Iridium’s next-generation satellite system, Iridium NEXT, scheduled to begin next year, Iridium will introduce a host of new and improved satellite services ranging from improved quality voice and broadband solutions to transformational aviation services.

Iridium, a U.S.-based and U.S.-licensed company, is the only MSS provider with full global satellite coverage—achieved through its constellation of 66 cross-linked satellites operating as a fully meshed network. As Iridium has previously detailed, it remains committed to serving the critical communications needs of the public through its various MSS products and services, which provide benefits that are not achievable with any other communications technology, particularly for first responders and the U.S. government during times of emergency.<sup>6</sup> The Iridium satellite network supports a variety of affordable, reliable satellite-based communications solutions, including one-way, two-way, and group mobile and fixed voice and data communications services, satellite data modem, asset tracking, simplex messaging, and remote monitoring services.

Iridium constantly develops exciting new services for its core government, public safety, and enterprise customers. To illustrate, its commercial push-to-talk (“PTT”) service, which is an evolution of technology originally created for military use, will allow a low-latency PTT experience—either within a localized area or across the globe—expected to attract new users and

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<sup>6</sup> Iridium Constellation LLC, Petition for Rulemaking, RM-11697, at 7-12 (filed Feb. 11, 2013) (“Iridium Petition”); Reply of Iridium Constellation LLC, RM-11697, at 3-6 (filed Dec. 17, 2013) (“Iridium Reply”).

drive incremental use from existing customers. Last year, Iridium received authority from the Commission to provide Aeronautical Mobile-Satellite (Route) Service (“AMS(R)S”), an aviation safety communication service connecting planes in-flight to each other and to ground stations,<sup>7</sup> and Iridium’s services have been approved by the Federal Aviation Administration for use in over-ocean air traffic control data link communications. Iridium also recently announced the introduction of Iridium GO!<sup>TM</sup>, a Wi-Fi hotspot device that will allow users to access email and data services over their smartphone or laptop anywhere on the globe.<sup>8</sup>

Upgrades in Iridium’s satellite constellation combined with innovative vendor partnerships will fuel further product development. An essential component of Iridium’s continued commitment to innovation is its next-generation constellation, Iridium NEXT, for which it recently filed an application seeking authority to launch.<sup>9</sup> The launch of Iridium NEXT will substantially advance current capabilities resulting in improved services for existing customers and opening new markets to Iridium’s services. Iridium NEXT will ultimately deliver data speeds of up to 1.5 Mbps (up from 128 kbps), enabling Iridium to provide broadband services to previously unserved or underserved areas without the need for terrestrial infrastructure or the creation of MSS exclusion zones. In addition to higher data rates and unique new solutions, Iridium NEXT also will support improvements to Iridium’s core services, for example, by facilitating a high-quality voice codec and introducing additional ways for users to connect their Android or iOS smartphone to Iridium’s constellation.

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<sup>7</sup> *Iridium Constellation LLC*, Memorandum Opinion and Order, 28 FCC Rcd 964 (2013).

<sup>8</sup> Iridium, “Iridium Go!” <http://www.iridium.com/products/iridium-go.aspx> (last visited April 26, 2014).

<sup>9</sup> Iridium Constellation LLC Application for Modification of License to Launch and Operate Replacement Satellites, File No. SAT-MOD-20131227-00148, Call Sign: S2110 (filed Dec. 27, 2013).

Iridium remains the last U.S. MSS operator focused on serving and growing the demand for critical satellite-delivered communications. As such, Iridium and the Commission have a common public interest goal of seeing the Big LEO band preserved as a home for primary MSS to serve the needs of the public. The Commission should ensure that its actions in this proceeding further that substantial interest.

### **III. GLOBALSTAR’S PROPOSAL REDUCES THE AVAILABILITY OF MOBILE SATELLITE SERVICES.**

Iridium takes no stance on the merits of Globalstar’s proposed deployment of a managed terrestrial service across 22 megahertz of licensed and unlicensed spectrum in the 2.4 GHz Band. However, the changes to the Ancillary Terrestrial Component (“ATC”) rules proposed in the Notice, combined with Globalstar’s stated business plans, would lead to a substantial reduction in the availability of mobile satellite services. The proposals in the Notice would eliminate any obligation on behalf of a Big LEO MSS/ATC operator to provide satellite service in the Big LEO band anywhere in the world. Moreover, because Globalstar’s stated plans include nationwide deployment of a terrestrial network in the 2.4 GHz band, its TLPS proposal would eliminate Globalstar’s two-way satellite offerings across most of the country.

#### **A. The Notice Would Eliminate Any Requirement for a Big LEO MSS/ATC Licensee to Actually Offer Mobile Satellite Services.**

The rules proposed in the Notice would free a Big LEO MSS licensee seeking to deploy ATC in the 2.4 GHz band from any obligation actually to provide satellite services in the Big LEO band. The Notice proposes to add a new subsection (c)(4) to the ATC equipment rules of Section 25.149.<sup>10</sup> The new subsection would impose on 2.4 GHz TLPS equipment technical

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<sup>10</sup> Notice at 24.

restrictions based on those applicable to Part 15 unlicensed devices.<sup>11</sup> TLPS operators complying with these rules would be exempt from having to comply with the ATC gating criteria and interference protections of Sections 25.149(b) and 25.254.<sup>12</sup>

Should the proposed rules be adopted, 2.4 GHz MSS/ATC licensees would be excused from requirements to offer mobile satellite service throughout the United States on a continuous basis,<sup>13</sup> to maintain spare satellites,<sup>14</sup> to offer commercial service throughout their satellite coverage area,<sup>15</sup> to offer integrated MSS and ATC services,<sup>16</sup> and to limit ATC operations to authorized channels,<sup>17</sup> as well as detailed interference protections for adjacent services.<sup>18</sup> Seemingly, the only requirement that would be imposed under the new flexible terrestrial regime would be to demonstrate “commercial availability of MSS, without regard to coverage requirements.”<sup>19</sup> Importantly, even this minimal requirement says nothing about the type of commercial MSS operations or the frequency band used.

In effect, Globalstar as a TLPS operator would be permitted to abandon 2.4 GHz satellite operations altogether, provided it maintains some minimal commercial satellite service offering somewhere in the world. The MSS need not be provided in the Big LEO band, need not be

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<sup>11</sup> *Id.*

<sup>12</sup> *Id.* (proposed “Note to Section (c)(4)” and new Section 25.149(g)).

<sup>13</sup> 47 C.F.R. § 25.149(b)(1).

<sup>14</sup> *Id.* § 25.149(b)(2).

<sup>15</sup> *Id.* § 25.149(b)(3).

<sup>16</sup> *Id.* § 25.149(b)(4).

<sup>17</sup> *Id.* § 25.149(b)(5).

<sup>18</sup> *Id.* § 25.254.

<sup>19</sup> Notice at 24 (proposed new Section 25.149(g)).

conducted using satellites owned, operated, or maintained by the licensee, and need not be made available to a single American customer. Under these rules, the TLPS operator could maintain its MSS authorization and Big LEO spectrum rights by simply leasing minimal capacity from another satellite operator in any band, in any corner of the globe, and thereby demonstrate compliance with the Commission's revised MSS obligations.

**B. Globalstar's TLPS Proposal Would Effectively Limit its Big LEO Satellite Offerings to One-Way Simplex Services as it Duplex Services Are Supplanted by TLPS.**

The record in this proceeding makes clear that wherever TLPS is deployed, Globalstar's 2.4 GHz satellite service is precluded. Globalstar provides its duplex services by pairing 2.4 GHz spectrum with 1.6 GHz spectrum. As TLPS expands, Globalstar's satellite operations contract. While Globalstar suggests that its duplex MSS might still be useful in rural areas, there are no assurances this will be the case. At the end of the day, Globalstar's duplex offering will look like Swiss cheese full of holes at best, and a silent dead zone where anyone actually resides at worst. With duplex satellite services, such as public safety and emergency voice communications, relegated to a secondary and preemptible offering, Globalstar's Big LEO system will be limited to one-way messaging or simplex services in its 1.6 GHz spectrum going forward.

In fact, Globalstar has been clear that the substantial relief received from any satellite service obligations under its proposal will result in widespread elimination of 2.4 GHz mobile satellite service, and that this outcome is the necessary price to be paid for deploying higher value terrestrial services. In a recent interview with Gigaom, Globalstar Vice President of Regulatory Affairs Barbee Ponder stated that the Company's TLPS plans included an initial rollout of 20,000 hotspots, followed by a broader nationwide deployment, potentially over an

existing terrestrial network infrastructure.<sup>20</sup> Ponder further noted that interference to MSS would not be an issue, because the company does not expect duplex MSS operations to occur within the footprint of the TLPS network.<sup>21</sup> Globalstar’s public statements therefore explicitly acknowledge that its business plans contemplate nationwide preclusion of duplex MSS operations on a going forward basis. Importantly, the first wave of Globalstar’s proposed TLPS deployment will focus on schools, hospitals, and public spaces—areas that may be most in need of the life-saving benefits of MSS during times of emergencies.

More than merely acknowledging that TLPS will create MSS exclusion zones anywhere it is deployed, Globalstar actually cites to the incompatibility of TLPS and MSS as justification for why TLPS must remain a service solely managed by the MSS licensee.<sup>22</sup> Globalstar suggests that only the MSS operator could handle the complexities of coordination between satellite and terrestrial operations. In reality, however, and as Globalstar acknowledges, coordination between TLPS and 2.4 GHz MSS in the same geographic area is impossible. The only real “coordination” is Globalstar deciding where to drop in TLPS and cease operating satellite services. Because Globalstar has nationwide ambitions for TLPS, and Globalstar’s Big LEO MSS constellation lacks the ability to conduct duplex operations in unpaired spectrum, Globalstar’s TLPS proposal effectively ensures Globalstar’s satellite system of being largely limited to minimal one-way services in the future.

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<sup>20</sup> See Kevin Pritchard, “A look inside Globalstar’s plan to build an exclusive nationwide Wi-Fi network”, Gigaom.com, <http://www.gigaom.com/2014/03/17/a-look-inside-globalstars-plan-to-build-an-exclusive-nationwide-wi-fi-network> (Mar. 17, 2014).

<sup>21</sup> *Id.*

<sup>22</sup> See Globalstar Petition at 29-30 (recognizing the need for Globalstar to manage MSS exclusion zones that will result from the deployment of TLPS).

**C. The Commission Should Reaffirm That Globalstar’s Proposed Rules Do Not Extend to Satellite Operations in the 1.6 GHz Band that Iridium Occupies.**

Whether or not the proposed rule changes are appropriate for 2.4 GHz TLPS operations, the Commission should be clear that the new terrestrial rules do not extend to the 1.6 GHz band, which is home to advanced two-way and one-way satellite services relied upon by government, emergency responders, industrial and commercial users, and consumers around the world for critical communications needs. Although Globalstar’s near-term TLPS proposal purportedly contemplates a Time Division Duplexed (“TDD”) Wi-Fi-based service operating only in the 2.4 GHz band, and the Commission’s Notice reflects this expectation, the rules proposed by the Commission may not be explicitly limited to such a deployment. Indeed under an expansive reading of the new rules one might argue (contrary, Iridium would assert, to the Commission’s express intent) that while the Part 15-based technical rules proposed for new Section 25.149(c)(4) apply only to ATC devices operating in the 2.4 GHz band, the new technical and operational flexibility exempting the operator from essential coordination, service, and interference protection obligations applies equally to FDD terrestrial operations in the 1.6 GHz and 2.4 GHz bands, potentially opening the door for terrestrial operations in the 1.6 GHz band not contemplated by the Commission or supported by any record evidence in this proceeding.

The Notice of Proposed Rulemaking, of course, makes clear that Globalstar’s proposed rules will not extend to the 1.6 GHz band. Moreover, Globalstar itself has limited its proposal in this proceeding to the 2.4 GHz Band. Accordingly, any Order moving forward with the TLPS concept should be absolutely clear that no rule changes or new terrestrial flexibility are intended to apply to the 1.6 GHz band.

#### **IV. THE COMMISSION SHOULD PROMOTE THE CONTINUED SUCCESS AND DEVELOPMENT OF ESSENTIAL SATELLITE SERVICE BY GRANTING SPECTRUM FOR IRIDIUM'S CURRENT AND FUTURE NEEDS.**

Regardless of how it proceeds with respect to Globalstar's proposal, the most important thing the Commission can do to maximize the utility of the Big LEO MSS band is to immediately act favorably on Iridium's Petition for Rulemaking, which seeks a modest injection of additional spectrum for Iridium's satellite system. This incremental addition of spectrum will help fuel continued innovation and enable Iridium to better meet the expected increases in demand by businesses and consumers for advanced satellite solutions as it transitions to Iridium NEXT. In addition, the increased spectrum for Iridium will help ensure the future success and development of MSS operations relied upon by the U.S. government, first responders, public safety, and critical industries.

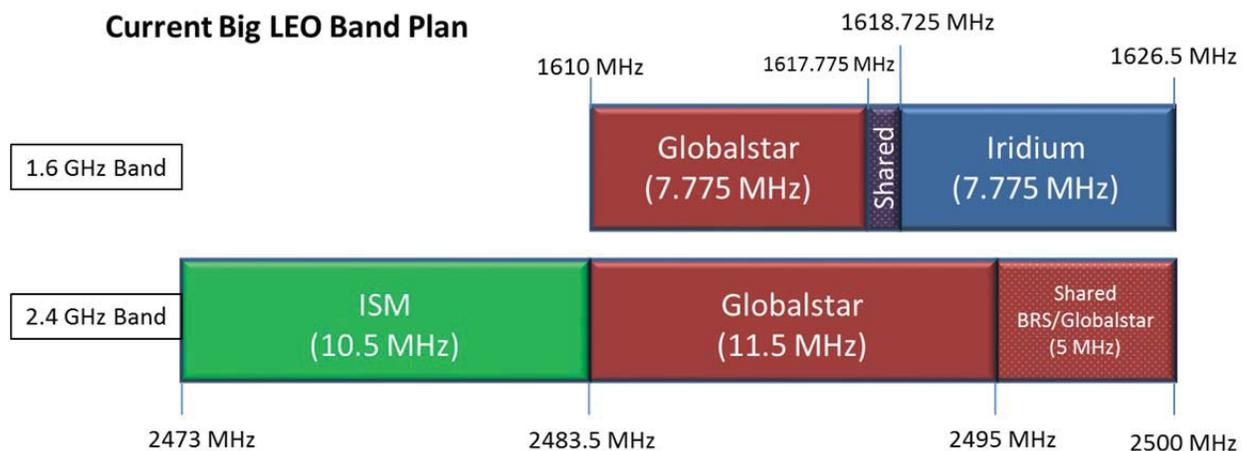
As detailed below, Iridium is submitting today a revised proposal for the Big LEO band plan that focuses on using spectrum that Globalstar has not and will not be using for satellite services. This simple proposal addresses all purported concerns raised by Globalstar regarding the effects of Iridium's requested relief on Globalstar's operations. Moreover, Iridium's proposal for improving Big LEO satellite services is even more important if the Commission moves forward with Globalstar's TLPS proposal, which, as described above, would cause a significant decrease in satellite communications availability nationwide. Accordingly, as discussed below, the Commission can and should act promptly on Iridium's proposal, either independently or on a consolidated basis with the TLPS Notice.

##### **A. Iridium's Revised Spectrum Proposal Will Serve the Public Interest.**

In contrast to Globalstar's request to convert 22 megahertz of satellite and unlicensed spectrum to exclusively managed terrestrial-only services, Iridium today articulated a revised proposal seeking a modest increase of 1.225 megahertz of spectrum (1617.5-1618.725 MHz) to

its licensed 1.6 GHz satellite operations, and shared, co-primary access to an additional 1.5 megahertz of spectrum (161-1617.5 MHz) currently available only to Globalstar.<sup>23</sup> This simple and elegant solution will allow Iridium access to much-needed additional spectrum to support current and future services while leaving Globalstar’s satellite services unaffected.

Currently, there is a significant spectrum disparity in the Big LEO Band, whereby Globalstar is licensed to conduct satellite operations over 25.225 megahertz of paired spectrum in the L-band (1610-1626.5 MHz) and S-band portions (2483.5-2500 MHz), including the 0.95 megahertz it shares with Iridium. Iridium, on the other hand, has exclusive rights to only 7.775 megahertz of unpaired L-band spectrum. Notwithstanding this lop-sided distribution of spectrum, Iridium has deployed a highly efficient mobile satellite system relied upon by users around the globe for critical and unique services using less than 8 megahertz of exclusive spectrum.

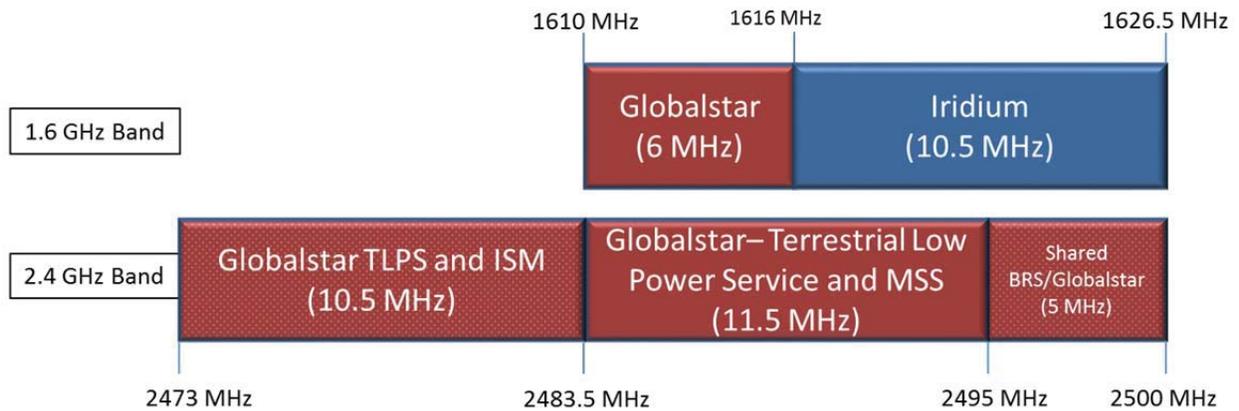


In its Petition for Rulemaking filed on February 11, 2013, Iridium sought reallocation of 2.2725 megahertz of spectrum from Globalstar’s exclusive use or Iridium/Globalstar shared use

<sup>23</sup> Supplemental Comments of Iridium Constellation LLC, RM-11697 (Filed May 5, 2014).

to Iridium’s exclusive use.<sup>24</sup> Iridium explained that this modest reassignment of spectrum rights would allow Iridium to maximize the utility of its current and next generation satellite systems, which are optimized for use of 10.5 megahertz of 1.6 GHz L-Band spectrum. The additional spectrum, Iridium asserted, would facilitate the continued development and deployment of critical satellite solutions, and would ensure that the company has spectrum resources available as demand increases with the launch of Iridium NEXT, while leaving Globalstar with ample spectrum to pursue its stated terrestrial and satellite goals.<sup>25</sup>

**Iridium 10.5 MHz Proposal from Petition for Rulemaking**



Predictably, Globalstar opposed Iridium’s proposal.<sup>26</sup> Globalstar suggested that because of technological constraints of its satellite system, interference protection requirements for adjacent services, and choices made in its channel configuration, Iridium’s proposal would

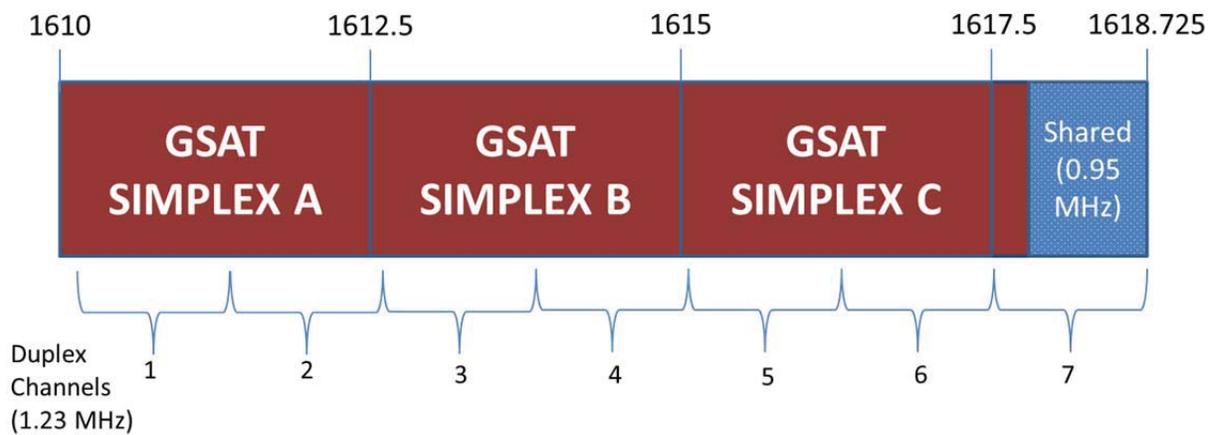
<sup>24</sup> Iridium Petition at 3.

<sup>25</sup> As Iridium explained in its Petition, after the relief requested, Globalstar would still have access to more than twice as much spectrum as Iridium, including paired holdings in the 1.6 and 2.4 GHz bands. Iridium Petition at 18. Iridium pointed out that this would even leave Globalstar with sufficient spectrum to move forward with a commercial LTE deployment leveraging its 1.6 GHz holdings, if the Commission were to approve such an ill-advised plan – something Iridium would strongly oppose. *Id.* at 19.

<sup>26</sup> Opposition of Globalstar, Inc. to Petition for Rulemaking, RM-11697 (filed Dec. 2, 2013) (“Globalstar Opposition”).

present challenges for its satellite services. For its simplex devices, Globalstar explained that its embedded base of one-way SPOT devices could not be reprogrammed remotely to operate on the Simplex Channels A and B the company would retain exclusive access to under Iridium’s proposal. Moreover, for its two-way duplex devices, Globalstar explained that because it failed to include location determination functionality in the devices (as it does on all of its SPOT devices), the devices require access to Duplex Channels 5 and 6 to initiate calls. Therefore, reassigning spectrum above 1616 MHz to Iridium on an exclusive basis, Globalstar suggested, could effectively prevent duplex devices from operating throughout much of the United States.

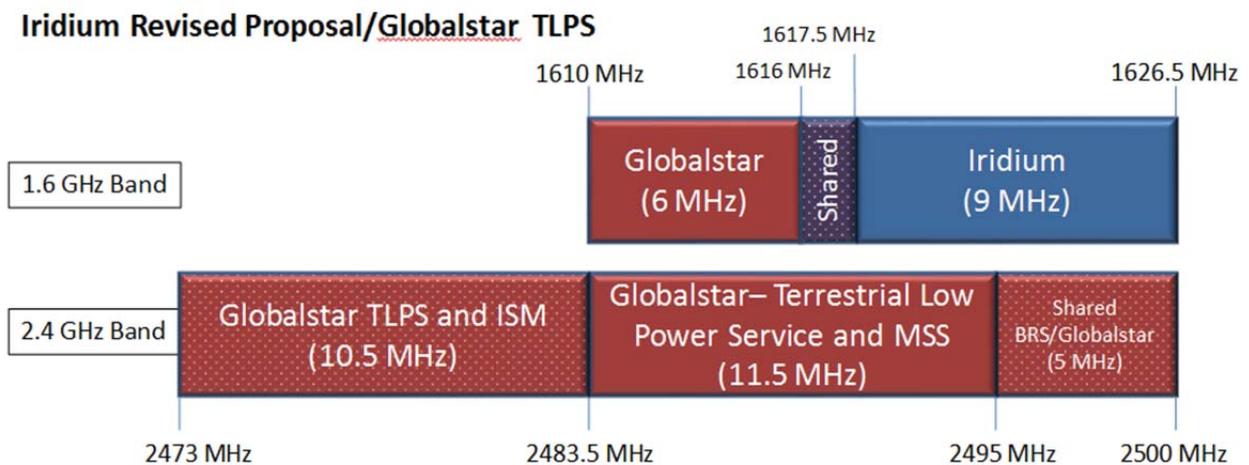
### Globalstar L-Band Channelization



Iridium is committed to the success of the satellite industry and the widespread availability of life-saving satellite services. In response to Globalstar’s concerns, Iridium now proposes a revised spectrum plan that offers a simple and elegant way to satisfy the dual goals of providing additional spectrum to support continued Big LEO satellite service growth and also enabling Globalstar access to sufficient spectrum to operate. In its revised proposal, Iridium requests that the Commission reassign only the 1617.5-1618.725 MHz portion for Iridium’s exclusive use for now. This 1.225 megahertz of spectrum includes the portion currently shared by Iridium and Globalstar, as well as the portion of Globalstar’s Duplex Channel 7 that is above

its Simplex Channel C. Iridium also proposes the Commission designate the remainder of the spectrum above 1616 MHz (1616-1617.5 MHz) for shared use between the operators.

As reflected in the chart above, Globalstar’s simplex operations would not be affected by providing Iridium exclusive spectrum above 1617.5. Based on Globalstar’s channelization plan, the change will not disrupt or displace its simplex services or its simplex customers. Similarly, there would be no impact on the duplex operations described in Globalstar’s Opposition, because Globalstar did not articulate in that filing a need for the spectrum above 1617.5 or Duplex Channel 7. Given Globalstar’s plan to deploy TLPS in a way that precludes duplex MSS, there is no reason that this would or should change in the future. Globalstar would continue to have co-primary access to 1616 MHz to 1617.5 MHz spectrum, thereby allaying any concerns about disruption or loss of service capabilities. In fact, the record in the prior Big LEO spectrum proceedings and sharing occurring during STAs shows that Iridium’s services can co-exist with what will be largely simplex traffic for Globalstar. Accordingly, Iridium’s proposal is a win-win for Big LEO satellite service customers and the public interest.



As depicted above, the revised proposal will afford Iridium a modest but important increase in its licensed spectrum that will reap major benefits for its users. Additionally, by

ensuring that Globalstar retains access to Simplex Channel C and Duplex Channels 5 and 6 on a shared basis, the revised proposal will ensure continuity of service for Globalstar's MSS users. Consequently, spectrum will be efficiently used and satellite spectrum needs met while Globalstar pursues its terrestrial spectrum play.

**B. The Commission Can and Should Act Immediately on Iridium's Revised Proposal.**

The Commission can and should move forward on Iridium's Petition based on the record compiled in these proceedings without the need for a separate Notice of Proposed Rulemaking because Iridium's proposals require no rule changes. Although the Commission historically has operated through rulemaking in the Big LEO band,<sup>27</sup> this was neither required then nor required now. In fact, Iridium's request does not require any rule changes and the Commission can achieve the modest spectrum reassignment requested by moving directly to an *Order Proposing License Modifications* without the need for further regulatory process.<sup>28</sup> The public interest in robust, critical satellite-based communications clearly favors swift action on Iridium's Petition, which will maximize the utility of this critical resource.

Iridium's request for additional spectrum stands on its own merits independent of any outcome on Globalstar's TLPS proposal. However, if the Commission elects to adopt the rule changes sought by Globalstar, there is even more compelling need for ensuring Iridium access to

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<sup>27</sup> See, e.g., Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands, IB Docket No. 02-364, *Report and Order, Fourth Report and Order, and Further Notice of Proposed Rulemaking*, 19 FCC Rcd 13356, ¶ 85 (2004).

<sup>28</sup> See Globalstar Licensee LLC, GUSA Licensee LLC and Iridium Constellation LLC, Iridium Satellite LLC, Iridium Carrier Services LLC, Modification of Authority to Operate a Mobile Satellite System in the 1.6 GHz Frequency Band, *Order of Modifications*, 23 FCC Rcd 15207, ¶ 24 (2008) (finding that an *Order Proposing License Modification* provides sufficient notice and opportunity for comment to modify a Big LEO MSS license).

additional spectrum dedicated for Big LEO MSS. The substantial reduction in satellite communications availability and reliability that will be triggered by the introduction of TLPS, and the concomitant relegation of Globalstar's system to a simplex-only/one-way architecture, make grant of Iridium's Petition, which is intended to expand MSS operations in the Big LEO L-band, an essential step for protecting the public interest in critical communications.<sup>29</sup> The Commission specifically contemplated consolidated action in the TLPS Notice, and it should exercise that option if it decides to move forward with the TLPS concept.<sup>30</sup>

## V. CONCLUSION

The Commission has long recognized the important and unique role of mobile satellite services, such as the services provided in the Big LEO MSS band. Globalstar's 2.4 GHz TLPS proposals, however, would enable the conversion of satellite spectrum to purely terrestrial uses, and would relegate its satellite system to one-way, simplex satellite services in the Big LEO band. Iridium, as an operator focused on innovating and maximizing the potential for critical satellite communications in the 1.6 GHz Big LEO band, takes no position on the merits of Globalstar's TLPS proposal or the associated rule changes for the 2.4 GHz band, provided any new terrestrial flexibility is limited strictly to the 2.4 GHz band. On the other hand, the

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<sup>29</sup> The Commission has ample authority and justification to consolidate consideration of Iridium's and Globalstar's Petitions. As Iridium explained in detail in its Motion to Consolidate, *see* Motion to Consolidate of Iridium Constellation LLC, RM-11685 (filed Feb. 11, 2013); the Commission has broad discretion in conducting its proceedings, *see* 47 C.F.R. § 1.1, and may consolidate petitions when they "address similar issues and affect the same parties." *Teleprompter Corporation* (Santa Cruz County, California), 91 FCC 2d 146, 148 (1982). The proposals in the TLPS Notice have a direct bearing on the future of Globalstar's operations in the 1.6 GHz portion of the Big LEO Band and are intertwined with the issues raised in Iridium's Petition. Consolidating consideration of Iridium's proposal in the TLPS docket would allow the Commission to address the Big LEO band holistically without the additional delay of a separate rulemaking proceeding.

<sup>30</sup> Notice at n.5.

proposals in the Notice highlight the need for action to protect and promote the continued development and viability of satellite services. As such, the Commission should immediately act on Iridium's Petition for Rulemaking, which will provide additional spectrum for Iridium, the only Big LEO MSS provider actually committed to providing critical and life-saving satellite services.

Respectfully submitted,

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