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August 4, 2014

**VIA ELECTRONIC DELIVERY**

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

**Re: Notice of *Ex Parte* Presentations  
GN Docket No. 13-114; RM-11640; PS Docket Nos. 11-153 and 10-255**

Dear Ms. Dortch:

On July 31, 2014, representatives of Gogo Inc. ("Gogo") met with staff of the International Bureau, the Office of Engineering and Technology and the Wireless Telecommunications Bureau to discuss Gogo's filings in the Air-Ground Mobile Broadband Service ("AGMBS") proceeding. Attending the meeting on behalf of Gogo were: Anand Chari, Executive Vice President and Chief Technology Officer; Bill Gordon, Vice President of Regulatory Affairs; Yong Liu, Senior RF Engineer; and Michele Farquhar and Tony Lin, outside counsel to Gogo. Attending the meeting on behalf of the FCC were Linda Chang, Thomas Derenge (by phone), Chip Fleming, Howard Griboff, Michael Ha, John Leibovitz, Tim Maguire, and Roger Noel. At the meeting, Gogo distributed copies of the attached presentation and its July 1, 2014 *ex parte* letter.<sup>1</sup>

Later that day, the representatives of Gogo had separate meetings with Renee Gregory, Legal Advisor to Chairman Wheeler; David Goldman, Legal Advisor to Commissioner Rosenworcel; Brendan Carr, Legal Advisor to Commissioner Pai; and Louie Peraertz, Legal Advisor to Commissioner Clyburn.<sup>2</sup> On August 1, 2014, the representatives of Gogo met with Erin McGrath, Legal Advisor to Commissioner O'Rielly. At these meetings, Gogo distributed copies of the attached presentation, its July 1, 2014 *ex parte* letter, and the Comments filed by Gogo in the text-to-911 proceeding.<sup>3</sup>

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<sup>1</sup> See Letter from Michele Farquhar, Hogan Lovells, to Marlene Dortch, Secretary, FCC, Docket Nos. 13-114 and RM-11640 (July 1, 2014).

<sup>2</sup> Tony Lin, outside counsel to Gogo, did not attend these meetings or the subsequent meeting on August 1, 2014.

<sup>3</sup> See Comments of Gogo Inc., Docket Nos. 11-153 and 10-255 (April 4, 2014).

During all of the meetings, Gogo explained that the public interest would be served best by dividing the proposed 500 MHz AGMBS band into four 125 MHz licenses. A single 125 MHz license would provide sufficient capacity for a licensee to offer a robust service today, as well as in the foreseeable future. As Gogo has stated, a single 125 MHz license could provide over 16 times the peak capacity of Gogo's current air-to-ground network and over 110 times the capacity of conventional Ku-band satellite systems.<sup>4</sup> Gogo also explained that coordination or protection requirements for certain Federal services in the 14.0-14.5 GHz band would not impair the viability of any of the 125 MHz licenses. As explained in the July 1, 2014 *ex parte* letter, there are simple technical solutions to protect those Federal services.<sup>5</sup>

Gogo also reiterated the comments it made in its March 28, 2014 *ex parte* letter regarding the process for equipment development, FAA certification, and network construction that a licensee in the 14 GHz AGMBS band would likely need to undertake.<sup>6</sup> Specifically, Gogo reemphasized its conclusion that a licensee could commence service in as soon as two years, and easily within five years, after receiving an FCC license. Accordingly, the FCC should adopt a five-year substantial service requirement, as Gogo has proposed.

Additionally, in the separate meetings with David Goldman, Brendan Carr, Louie Peraertz, and Erin McGrath, Gogo discussed its comments submitted in the FCC's text-to-911 proceeding. Those comments, as well as those submitted by Gogo in the AGMBS proceeding, support Gogo's position that the FCC should exempt air-to-ground services from 911 and E911 rules, including text-to-911.<sup>7</sup> As explained in those filings, passengers aboard aircraft in flight would not reasonably expect access to 911 and E911 services, including text-to-911. Moreover, a PSAP would not be able to assist in-flight passengers, and attempting to respond to such calls would divert public safety resources from persons that the PSAP could serve.

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

Respectfully submitted,

/s/ Michele C. Farquhar

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Partner

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<sup>4</sup> *Id.* at 2.

<sup>5</sup> *Id.* at 2-4.

<sup>6</sup> See Letter from Michele Farquhar, Hogan Lovells, to Marlene Dortch, Secretary, FCC, Docket Nos. 13-114 and RM-11640 (March 28, 2014).

<sup>7</sup> See Comments of Gogo Inc., Docket Nos. 13-114 and RM-11640, at 13-15 (August 26, 2013).

Attachments

cc (via email):

Brendan Carr  
Linda Chang  
Thomas Derenge  
Chip Fleming  
David Goldman  
Renee Gregory  
Howard Griboff  
Michael Ha  
John Leibovitz  
Erin McGrath  
Tim Maguire  
Roger Noel  
Louie Peraertz