

LATHAM & WATKINS LLP

June 22, 2006

By Hand

Mr. James Burtle
Chief, Experimental Licensing Branch
Office of Engineering and Technology
Federal Communications Commission
445 12th Street, N.W.
Washington, DC 20554

Re: Deere & Company, File No. 0437-EX-ST-2006

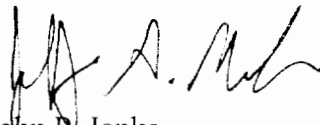
Dear Mr. Burtle:

Inmarsat Ventures Limited ("Inmarsat") submits the enclosed document in reply to the comments of Mobile Satellite Ventures Subsidiary LLC ("MSV") in this proceeding, in which Deere & Company ("Deere") seeks experimental authority to test receive only L-Band mobile earth terminals using the Inmarsat-3 satellite at 142° W.L.

MSV submitted as its comments a pleading that MSV filed in response to Deere's application for similar authority in File No. SES-STA-20060605-00922. On June 21, 2006, Inmarsat fully responded to MSV's comments in that proceeding, and demonstrated that the actions requested by MSV are not warranted. Therefore, Inmarsat attaches for inclusion in the record of this proceeding its June 21, 2006 response to MSV's comments.

Please contact the undersigned if you have any questions regarding the attached.

Sincerely yours,



John P. Janka
Jeffrey A. Marks

Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Federal Communications Commission
Office of Secretary

In the matter of)
Deere & Company) File No. SES-STA-20060605-00922

REPLY OF INMARSAT VENTURES LIMITED

Inmarsat Ventures Limited ("Inmarsat") replies to the comments of Mobile Satellite Ventures Subsidiary LLC ("MSV"). In this proceeding, Deere & Company ("Deere") seeks special temporary authority ("STA") for a period of 30 days to test a maximum of 20 receive only, non-common carrier, L-Band mobile earth terminals using the Inmarsat-3 ("I-3") satellite at 142° W.L.

No one opposes Commission grant of Deere's application. MSV is the only party to comment and MSV requests that the Commission include in its grant pronouncements that are of no relevance to this request for testing authority.¹ Specifically, MSV asks that the Commission "make clear that:" (i) Commission grant of the STA "should not be construed as a Commission endorsement" regarding the coordination status of I-3 at 142° W.L.; and (ii) "Inmarsat must coordinate the Inmarsat 3F4 with other L band operators before Deere can

¹ Inmarsat disagrees with MSV's characterizations regarding the ongoing L-Band spectrum dispute between Inmarsat and MSV. See MSV Comments at 2-5. Inmarsat has fully briefed this matter in prior pleadings and incorporates by reference a recent pleading that summarizes Inmarsat's positions on the issues involved. See Opposition of Inmarsat, File No. SES-MFS-20060118-00050, *et al.* (filed Mar. 16, 2006) (with Consolidated Opposition of Inmarsat, File No. SES-MFS-20051207-01709, *et al.* (filed Feb. 2, 2006) attached thereto as Exhibit A).

provide commercial service in the United States with this satellite.”² There is no basis for MSV’s requests.

As an initial matter, Deere’s proposed testing operations do not raise any interference issues. Inmarsat has been successfully operating its I-3 spacecraft at 142° W.L. for approximately three months, since the time Inmarsat decommissioned the Inmarsat-2 spacecraft that had been successfully operating at that location for the previous four years. Nowhere does MSV allege that Inmarsat’s operations at 142° W.L. have caused harmful interference. Moreover, Deere requests STA to use the very same limited portion of the L-Band that the Commission has authorized for Deere’s use since 2001.³ Deere’s proposed operations in that frequency segment over I-3, therefore, cannot reasonably be expected to have an adverse effect on MSV.

Furthermore, MSV’s requests are superfluous and inconsistent with Commission policy regarding the authorization of L-Band services. First, it would be premature and prejudicial for the Commission to place a condition on Deere’s future “commercial” operations that are not even the subject of this application, as MSV suggests. The Commission should not include language in Deere’s STA based on the mere speculation that Deere *might* file an application for commercial authority at some future date. Second, granting MSV’s requests regarding coordination would contravene longstanding Commission precedent, which provides that completion of coordination is not a condition precedent to (or a *quid pro quo* for) issuance of

² MSV Comments at 1.

³ See File No. SES-LIC-20010112-00051 (authorizing Deere’s provision of L-Band services over the Inmarsat-2 spacecraft at 98° W.L.).

an authorization to provide MSS in the United States.⁴ The Commission confirmed this policy in its recent grant of MSV's application to operate a new and uncoordinated L-Band MSS spacecraft at 63.5° W.L.⁵ That application was granted just last year without any obligation being imposed on MSV to effectuate coordination with Inmarsat prior to launching or operating MSV's spacecraft. Here (as the Commission found in MSV's case)⁶ no other L-Band system in the vicinity of the United States could use the L-Band spectrum currently used by Inmarsat (and for which Deere already holds an FCC authorization) to serve the United States.

As a final matter, imposing a coordination condition on Deere's future operations would be fundamentally unfair, as it would provide MSV with sole control over whether Deere could ever provide commercial services over the I-3 satellite at 142° W.L. Contrary to what MSV implies, Inmarsat has repeatedly attempted to coordinate its North American fleet operations with MSV, but MSV has rebuffed those efforts citing "other" business issues that MSV wishes to address prior to continuing such a dialogue.⁷ Moreover, such conditions would unjustifiably treat Deere (and Inmarsat) differently than the Commission has treated other MSS applicants.⁸

⁴ *Establishment of Policies and Service Rules for MSS in the 2 GHz Band*, 15 FCC Rcd 16127, 16192 ¶ 148-49 (2000); *SatCom Systems, Inc.*, 14 FCC Rcd 20798, 20813 ¶ 30 (1999) ("TMI"); *Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to MSS in the 1610-1626.5/2483.5-2500 MHz Frequency Bands*, 9 FCC Rcd 5936, 6018 ¶ 211 (1994); *AMSC Sub. Corp.*, 8 FCC Rcd 4040, 4043 ¶ 17 (1993).

⁵ *Mobile Satellite Ventures Subsidiary LLC, Application for Authority to Launch and Operate an L-band Mobile Satellite Service Satellite at 63.5° W.L.*, 20 FCC Rcd 479 (2005). MSV recently surrendered this authorization after making a business decision not to meet its licensed milestone schedule.

⁶ *Id.* at 482 ¶ 8.

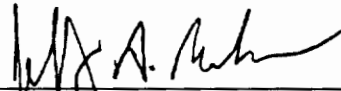
⁷ See Inmarsat Consolidated Response, File No. SES-STA-20051216-01756 *et al.*, at 9-11 (Jan. 6, 2006).

⁸ See, e.g., cases cited, *supra*, notes 3 & 4.

* * *

For the foregoing reasons, the Commission should grant STA to Deere without including the coordination pronouncements requested by MSV.

Respectfully submitted,



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June 21, 2006

CERTIFICATE OF SERVICE

I, Jeffrey A. Marks, hereby certify that on this 21st day of June, 2006, I caused to be served a true copy of the foregoing "Reply of Inmarsat Ventures Limited" by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

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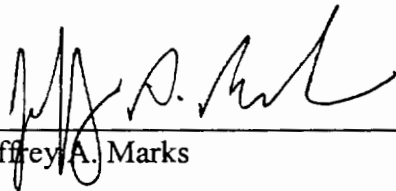
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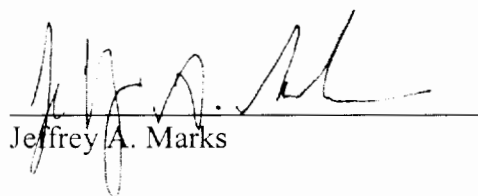
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