

ORIGINAL

February 23, 2006

Via Hand Delivery

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

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FEB 23 2006

Federal Communication Commission
Bureau / Office

**Re: Furuno U.S.A., Inc.
File No. 0037-EX-RR-2006
Call Sign WA2XPJ**

Dear Mr. Burtle:

Mobile Satellite Ventures Subsidiary LLC ("MSV"), the United States L band Mobile Satellite Service ("MSS") licensee, hereby requests that the Office of Engineering and Technology ("OET") clarify in acting on the above-captioned renewal application that (i) use of loaned¹ L band frequencies is prohibited and (ii) to the extent Furuno U.S.A., Inc. ("Furuno") applies to operate the terminals at issue here with uncoordinated Inmarsat-4 satellites, it is subject to the same terms and conditions the International Bureau ("Bureau") has recently imposed on grants of Special Temporary Authority ("STA") to operate with the uncoordinated Inmarsat 4F2 satellite.²

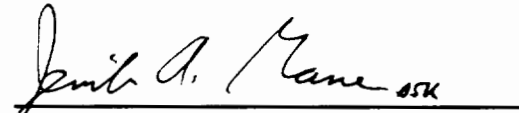
The above-referenced experimental authorization permits Furuno to operate throughout the lower 1.6 GHz MSS L band (1626.5-1646.5 MHz), which necessarily includes "loaned" L band frequencies, as that term is defined by the Bureau. The current use of these frequencies by Inmarsat and perhaps Furuno prevents MSV and MSV Canada from using those frequencies now to test and deploy new, hybrid system technologies using the current satellites of MSV and MSV Canada. Accordingly, MSV urges OET to clarify that this experimental authorization does not permit the use of loaned frequencies or any other frequencies coordinated for MSV and MSV Canada.

¹ The Bureau has defined "loaned" L band frequencies as "those bandwidth segments that were loaned to Inmarsat by MSV and [Mobile Satellite Ventures (Canada) Inc.], either as part of the Revised 1999 Spectrum Sharing Arrangement (October 4, 1999), or later as bilateral arrangements between Inmarsat and MSV and Inmarsat and MSV Canada." *See, e.g.*, Exhibit A (*STA Grant*, File No. SES-STA-20051216-01760 (Call Sign E000180) et al (January 18, 2006), at ¶ 3).

² *See* Exhibit A.

The above-referenced experimental authorization permits Furuno to test and demonstrate two Inmarsat terminals (non-BGAN) with an Inmarsat satellite in the L band. The original authorization was granted in 1997, prior to the November 8, 2005 launch of the uncoordinated Inmarsat 4F2 satellite, which covers North America, including the United States. The application did not propose operation with an Inmarsat-4 satellite. Nonetheless, one of the conditions attached to the grant of this application states that Furuno is permitted to communicate with an "Inmarsat satellite." MSV is concerned that this vague condition may be interpreted by Furuno as permitting operation with any Inmarsat satellite, including the uncoordinated Inmarsat 4F2 satellite.³ On January 18, 2006, the Bureau granted STA to operate certain terminals with the uncoordinated Inmarsat 4F2 satellite, but subject to a number of conditions intended to avoid harmful interference to other L band operators (the "*STA Conditions*"). See Exhibit A. Among other things, operations pursuant to the STA are on an unprotected, non-interference basis and certain EIRP densities cannot be exceeded. To ensure that operation pursuant to this experimental authorization does not result in harmful interference to other L band MSS operators, MSV requests that OET apply the *STA Conditions* to any grant of this renewal application to the extent it authorizes operation of the terminal at issue here with the Inmarsat 4F2 satellite.

Please contact the undersigned with any questions.



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³ Furuno must receive approval to modify its experimental authorization before it is permitted to add an Inmarsat-4 satellite as an authorized Point of Communication. See, e.g., 47 C.F.R. § 5.77 (requiring prior approval for change in experimental operation that results in operations inconsistent with any term of outstanding authorization); 47 C.F.R. §§ 25.117, 25.118 (requiring prior approval for addition of new satellite to existing earth station license).

Exhibit A

Stratos Communications, Inc.

IBFS File Nos. SES-STA-20051216-01760, SES-STA-20051216-01761, SES-STA-20051216-01762, SES-STA-20051216-01763, SES-STA-20051216-01764

The request of Stratos Communications, Inc. (Stratos) for special temporary authority (STA) IS GRANTED. Accordingly, Stratos is authorized from January 18, 2006 to March 19, 2006 to continue operations on the Inmarsat 4F2 satellite using mobile earth terminals (METs) previously authorized under call signs E000180, E010047, E010048, E010049, and E010050 to communicate with the Inmarsat 3F4 satellite in accordance with the terms, conditions, and technical specifications set forth in the Commission's rules and this document.

1. Neither the aggregate uplink EIRP densities in the direction of any other L-band satellite serving the United States, nor the downlink EIRP densities at any geographical point within the United States, shall be increased as a result of continuance on the Inmarsat 4F2 satellite of operations previously authorized on the Inmarsat 3F4 satellite.
2. Operations on the Inmarsat 4F2 satellite shall be on an unprotected basis. Stratos shall not claim protection from, and is required to accept interference from, other lawfully operating satellites or radiocommunication systems.
3. No later than February 17, 2006 a report must be submitted addressing whether, given the increased capacity of the Inmarsat 4F2 satellite relative to the Inmarsat 3F4 satellite, there would be any discontinuance of, or degradation of the reliability of, existing operations should access to the "loaned" spectrum be terminated. In the event that the report asserts that such discontinuation or degradation may occur, the report must include a detailed, quantitative explanation of the basis of this assertion. Any such explanation must also include a list of the end-users, including any U.S. government end-users, using METs that may operate in the "loaned" spectrum under this STA, a point of contact (name and telephone number) for each such end-user, and the number of METs associated with each such end-user. Any such explanation, to the extent that it claims that termination of operations on the "loaned" spectrum would degrade service on other frequencies, must include a list of the potentially affected end-users, including any U.S. government end-users, using METs operating under this STA, a point of contact (name and telephone number) for each such end-user, and the number of METs associated with each such end-user. Should the U.S. government users not authorize disclosure of frequencies or services used on the "loaned" spectrum, the report must include a point of contact (name and telephone number) for the associated end-user who can verify the government's use. For purposes of this condition, "loaned" spectrum is defined as those bandwidth segments that were loaned to Inmarsat by MSV and MSV Canada, either as part of the Revised 1999 Spectrum Sharing Arrangement (October 4, 1999), or later as bilateral arrangements between Inmarsat and MSV and Inmarsat and MSV Canada.
4. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at Stratos's own risk.
5. The grant of this STA is not based on a finding that Inmarsat's L-band operations are consistent with operation on a non-interference basis.
6. The grant of this STA is without prejudice to any future determination that the Commission may make as to whether Inmarsat's L-band operations are consistent with operation on a non-interference basis.
7. This STA may be terminated or modified at the International Bureau's discretion, without a hearing, if conditions warrant.

Stratos Communications, Inc.

IBFS File Nos. SES-STA-20051216-01760, SES-STA-20051216-01761, SES-STA-20051216-01762, SES-STA-20051216-01763, SES-STA-20051216-01764

8. Stratos must notify its customers in writing no later than February 17, 2006 that operations on the Inmarsat 4F2 satellite are pursuant to a 60-day grant of special temporary authority that may be terminated or modified at any time.
9. Authority granted in this STA is without prejudice to the disposition of the underlying modification applications in IBFS File Nos. SES-MFS-20051202-01665, SES-MFS-20051122-01614, SES-MFS-20051122-01615, SES-MFS-20051122-01616, SES-MFS-20051122-01617, SES-MFS-20051122-01618, SES-MFS-20051123-01626, SES-MFS-20051123-01627, SES-MFS-20051123-01629, SES-MFS-20051123-01630, and SES-MFS-20051207-01709.
10. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately.
11. Stratos is afforded thirty days from the date of release of this action to decline this special temporary authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the special temporary authorization as conditioned.

CERTIFICATE OF SERVICE

I, Sylvia A. Davis, hereby certify that on this 23rd day of February 2006, served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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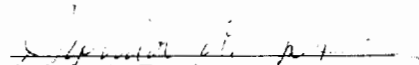
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