

From: McLellan Simon

To: Behnam Ghaffari

Date: August 30, 2017

Subject: 0549-EX-CN-2017

Message:

While Row 44 is not unalterably opposed to some slight modification of its spectrum request, it does not believe the proposed limitation is appropriate, both because the Commission is currently proposing to make the entire subject band available for use by Earth stations in motion, and because other service providers who compete with Row 44 and its parent company, Global Eagle Entertainment Inc., are currently authorized to operate on these frequencies using larger numbers of mobile terminals on both an experimental and permanently-licensed basis.

With respect to the first point, in its currently pending rulemaking on the use of Earth stations in motion communicating with geostationary orbit space stations, the Commission specifically proposes to extend the availability of spectrum for Earth Stations Aboard Aircraft and other mobile uses to include the 29.25-30.0 GHz (Earth-to-space) band. See Amendment of Parts 2 and 25 of the Commission's Rules to Facilitate the Use of Earth Stations in Motion Communicating with Geostationary Orbit Space Stations in Frequency Bands Allocated to the Fixed Satellite Service, FCC 17-56, slip op. at 15 (§ 53) and Appendix A, Proposed Rules, at § 25.202(a) (released May 19, 2017). Given this pending proposal, it would seem that the Commission would seek affirmatively to encourage experimental testing consistent with the proposed rule change.

Second, companies that compete with Row 44/Global Eagle are already authorized to operate using significant numbers of mobile units across this band. See, e.g., ViaSat, Inc., Call Sign WH2XTJ, OET File No. 0224-EX-CR-2017 (granted May 12, 2017) (permitting use of up to 75 remote mobile terminals in CONUS in the band 28350-30000 MHz); Thales Avionics, Inc., Call Sign E170068, IBFS File No. SES-LIC-20170217-00183 (granted July 7, 2017) (permitting operation of up to 250 remote mobile units in the band 29300-30000 MHz using multiple points of communication, including the Jupiter 2 satellite at 97.1 W.L. requested in the Row 44 experimental license application); Speedcast Communications Inc., Call Sign E060157, IBFS File No. SES-MFS-20161006-00829 (granted April 18, 2017) (permitting operation of up to 1000 remote mobile units in the band 29250-30000 MHz).

Please let us know if direct discussion of these concerns might be helpful, or if there are other issues that may need to be addressed.

David Keir
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on behalf of Row 44, Inc.