

EX PARTE OR LATE FILED

September 22, 2004

RECEIVED

Via Hand Delivery
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Int'l Bureau

SEP 22 2004

SEP 29 2004

Federal Communications Commission
Office of Secretary

Front Office


Re: Mobile Satellite Ventures Subsidiary LLC
Ex Parte Presentation
IB Docket No. 01-185
File No. SAT-MOD-20031118-00333 (ATC application)
File No. SAT-AMD-20031118-00332 (ATC application)
File No. SES-MOD-20031118-01879 (ATC application)

Dear Ms. Dortch:

In response to questions raised by Commission staff at a meeting held on September 14, 2004, Mobile Satellite Ventures Subsidiary LLC ("MSV") hereby supplements its application with the attached information.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,


Lon C. Levin

cc: Richard Engelman
Howard Griboff
Kathryn Medley
Roderick Porter
Steven Spaeth
David Strickland
Cassandra Thomas
John Janka, counsel for Inmarsat

Attachment

- On pages 22 and 26 of its ATC application, MSV certified that measurements used to determine compliance with out-of-band emission limits to protect GPS receivers will be made over a 20 millisecond averaging period. In light of a Commission decision adopted in November 2003,¹ MSV hereby certifies that these measurements will be made over a 2 millisecond active transmission interval.
- On page 22 of its ATC application, MSV certified to the out-of-band emission limits its base stations would meet to protect GPS.
- Attached hereto is an exhibit explaining further how MSV's priority and preemptive access obligations will be satisfied for a CDMA protocol. *See Attachment A.*
- Exhibit G of MSV's ATC application explained the methodology whereby MSV concluded which satellite systems operate co-channel with MSV or MSV Canada in a way that is meaningful for any interference analysis. The analysis focused on the potential that an MSV MT operating in North America might be visible to a widely separated satellite using the same frequency. Attached hereto is an Addendum to this showing which includes satellites that are visible from MTs operating in Hawaii. *See Attachment B.*

¹ *Second Report and Order*, IB Docket No. 99-67, FCC 03-283 (Nov. 18, 2003).

Attachment A

Addendum to Exhibit D of MSV's ATC Application

Priority & Preemptive Access for CDMA

A key aspect of the Commission's MSS L-band policy is its requirement that the licensee provide priority and preemptive access for aeronautical safety services in the upper L-band, and for maritime safety services in the lower L-band. 47 C.F.R. Section 2.106 footnotes US308, US315. "Priority" means that if a GMDSS or AMS(R)S system operating on MSV's satellite(s) needs additional spectrum, MSV will relinquish that spectrum to it. "Preemption" is required when the requested MSV spectrum is occupied. In that case, MSV will terminate active channels to make spectrum available. The Commission has defined the system characteristics required to support priority and preemptive access in MSV's authorizations.² MSV's understanding of these requirements is that if a GMDSS or AMS(R)S system operating on MSV's satellite(s) needs additional spectrum for safety or emergency communications, MSV will relinquish that spectrum to it, including preempting channels currently in use for lower priority communications, if required, to make spectrum available.

MSV had previously demonstrated how this will be achieved for a GSM-based air interface. Here, the showing is made for IS-95B and CDMA2000 air interfaces. Both of the above air interfaces employ full-duplex terminals and continuously transmitted, forward, pilot channels. This greatly facilitates the preemption of a forward and return carrier pair. Here "preemption" is taken to mean relinquishing spectrum, as discussed above. Prioritized access without vacating the entire spectrum occupied by a carrier is currently not feasible for IS-95B and CDMA2000. The CDMA Development Group (CDG), however, has recently approved a priority access scheme which will be published as TIA-917 in October 2004. MSV will provide priority access to GMSS and AMS(R)S users according to this standard, thereby providing substantially similar prioritized access as available via GSM and previously described in MSV's Application.

The concept of operation is as follows. Upon request to the MSV hub³ from AMS(R)S or GMDSS control centers, via agreed upon preemption protocols, the forward pilot channel of to-be-vacated carriers will be taken down. This will cause all MTs camped on those carriers to cease transmission almost immediately (within 40 ms). If the AMS(R)S or GMDSS scheme uses CDMA, a reserved System Identification ID (SID) and/or Network Identification ID (NID) will

² See, e.g., Application of AMSC Subsidiary Corporation for a Blanket License to Construct and Operate up to 200,000 L-band Mobile Earth Stations, *Order and Authorization*, File No. 2823-DSE-P/L-93, ¶¶ 12, 18 (1993).

³ The hub is the Central Resource Manager and has control over both satellite and terrestrial frequencies for the entire hybrid network.

be used in the Sync Channel so that commercial MTs will be barred from re-logging on to that carrier.

Attachment B

Addendum to Exhibit G of MSV's ATC Application

If satellites visible from the longitude of Honolulu, Hawaii are included in MSV's analysis, the list of satellites visible to an MSV MT expands as follows.

ADM	SAT_NAME	LONG_NOM	NTF_RSN
VTN	VINASAT-4A2	132	Coordination
J	MTSAT-135E	135	Coordination
J	MTSAT-B-135E	135	Coordination
CHN	COMPASS-140E	140	Coordination
MLA	MEASAT-2	148	Coordination
INS	GARUDA-3	135	Coordination
AUS	AUSSAT B 152E MOB	152	Coordination
AUS	AUSSAT B 152E MXL	152	Coordination
AUS	AUSSAT B 156E MOB	156	Coordination
AUS	AUSSAT B 156E MXL	156	Coordination
AUS	AUSSAT D 156E FSS	156	Coordination
AUS	AUSSAT B 156E MOB	156	Notification
J	MTSAT-140E	140	Coordination
J	MTSAT-B-140E	140	Coordination
J	MTSAT-145E	145	Coordination
J	MTSAT-B-145E	145	Coordination
URS	VOLNA-9	128	Coordination
URS	VOLNA-6	140	Notification
G	INMARSAT-3 POR-3	143.5	Coordination

The first group of satellites, would clearly be line-of-sight to MSV's system, but they have not yet requested coordination with MSV's system, leading MSV to conclude that they are not operating co-channel with MSV's existing operations.

The Australian and Indonesian satellites are visible from the Hawaii. Their coverage areas, however, are centered on Australia and Indonesia, respectively; as a result, their antenna gain toward Hawaii is small. Therefore, the effect of ATC transmissions from Hawaii on these systems would be slight.

MSV is coordinating with the operator of the satellites in the next group comprising the MTSAT satellites at 140°E and 145°E.

The only remaining systems are those that are operated by Parties to the Mexico City Memorandum of Understanding. These Parties have developed a series of Agreements that provide for a substantial amount of spectrum to be used without any co-channel sharing. The Agreements clearly establish which frequencies are shared by which systems and which frequencies are used on an exclusive basis in the region.

Certification

I, Lon C. Levin, Vice President of Mobile Satellite Ventures Subsidiary LLC ("MSV"),
certify under penalty of perjury that the information contained herein is true and correct.

Executed on September 22, 2004

A handwritten signature in black ink, appearing to read "Lon C. Levin", written over a horizontal line.

Lon C. Levin
Vice President