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March 14, 2012

FILED ELECTRONICALLY VIA IBFS
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, NW
Washington, DC 20554

Re: Written Ex Parte Presentation
Application for Authority to Provide Aeronautical Mobile-Satellite (Route) Service Over the IRIDIUM System, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20050816-00160 and SAT-AMD-20051118-00236

Dear Ms. Dortch,

This letter contains additional comments from Inmarsat in response to Iridium's Opposition filing in the above captioned docket filed on January 23, 2012.[1]

It is evident by comparison of the Iridium Opposition and the Inmarsat filing of January 11, 2012,[2] that Inmarsat and Iridium agree on key points, and that we recognize the same facts on other points. In several cases, however, it appears that Iridium and Inmarsat view the same facts and reach different conclusions. We urge the Commission to fully consider the points below in evaluating its final action in this matter.

1. As noted in both Iridium's Opposition filing and our letter of January 11th, Inmarsat does not oppose a grant of Iridium's application. By not opposing the application, Inmarsat accepts the contention of Iridium and its supporters that Iridium-based AMS(R)S is in the public interest.

2. Iridium's Opposition filing argues that the restriction of Iridium AMS(R)S to oceanic airspace will potentially result in a waste of scarce Commission resources. Iridium does not,

[1] Opposition of Iridium Satellite, LLC, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20050816-00160 and SAT-AMD-20051118-00236 (Jan. 23, 2012) ("Iridium Opposition")

[2] Letter from Diane Cornell, Vice President, Governmental Affairs, Inc., to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20050816-00160 and SAT-AMD-20051118-00236 (Jan. 11, 2012) ("Inmarsat January 11th Letter")

and indeed cannot, argue with the facts presented in our January 11th Letter: all ICAO and FAA "approvals" of Iridium AMS(R)S, which are the entire basis for Iridium's request for a license modification, are solely for operations in oceanic airspace. As we noted in our January 11th Letter, there has been no publically distributed or peer-reviewed analyses by any regulatory authority that Iridium AMS(R)S is either capable of or suitable for AMS(R)S in other airspace. Therefore, the Commission should accept our fact-based suggestion for restriction of Iridium AMS(R)S to oceanic and polar airspace.

3. In its Opposition filing, Iridium claims that "grant of Iridium's application would not require any changes to…AMSS or AMS(R)S service in adjacent bands" (emphasis added). The Iridium argument is that this is so because such services "already need to take into account" such operations. As noted in our January 11th Letter, however, most of the thousands of existing AMSS and AMS(R)S terminals operating in the adjacent (1626.5-1660.5 MHz) band were designed, manufactured installed and continuously operated long before Iridium even applied for AMS(R)S approval, requesting a non-traditional use in its band. In accordance with long established practice,[3] Iridium should not be permitted to claim that it needs additional protection from equipment that already operates in the adjacent band in accordance with established standards, and Inmarsat and the aircraft using such equipment should not be expected to retrofit merely to permit operation of a new service in a non-traditional band, regardless of its status. Such an action would specifically not be in the public interest, as demonstrated in our January 11th Letter, in light of its effect on the installed base of thousands of business, commercial, government and military aircraft. This is the focus of the second point of our January 11th Letter.

   This issue is particularly important when considering the possibility of AMS(R)S being authorized to operate in environments other than oceanic, remote continental or polar airspace, or in oceanic airspace under conditions more severe than those presented to and accepted by ICAO.[4] While ICAO has concluded that the accepted future operational environment is sufficient to protect Iridium AMS(R)S in oceanic, remote continental and polar airspace, the situation in other airspace, where AMS(R)S is not currently used, or under conditions more stringent than those already analyzed, is far less certain. As noted above, there has been no publically distributed or peer-reviewed analyses by any regulatory authority that Iridium AMS(R)S is either capable of or suitable for AMS(R)S in other airspace or under more stringent conditions. Thus, while agreeing with the facts of Iridium's

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[3] *See, e.g.,* No. 3.3 of the International Telecommunication Union Radio Regulations.

[4] *See,* E. F. C. LaBerge, "Updated Analysis of Inmarsat and Iridium Aeronautical Services in the Same Oceanic Airspace," International Civil Aviation Organization, Aeronautical Communications Panel WG-M/12, Montreal, WGM/12-WP-7, 18 June, 2008; "AERONAUTICAL COMMUNICATIONS PANEL (ACP) WORKING GROUP M (Reconstituted) REPORT OF THE TWELTH MEETING," International Civil Aviation Organization (ICAO), Montreal, June 16-19, 2008.

rebuttal, we disagree with the interpretation that no additional comment or language by FCC is necessary. We urge the FCC to clarify in its order in this matter that existing good-faith users of the 1626.5-1660.5 MHz band should not be required to modify their equipment to ccommodate Iridium's non-traditional use of the relevant band when approving Iridium's application.

4. Finally, we note that Iridium's Opposition response is silent with respect to the co-site interference issue raised in the third point of our January 11th Letter. Therefore, we assume that they do not oppose such wording. Indeed, opposition by Iridium would be inconsistent since it is the Iridium documentation that contains the warning quoted in our January 11th response. We reiterate our request that any final FCC ruling contain such cautionary language so that potential users fully understand the implications of such installations. Technological or procedural solutions to any co-site interference issues should be left to the marketplace.

To summarize, Inmarsat does not oppose granting Iridium's request for modification of their license to include AMS(R)S operations, limited to the operational airspace for which ICAO and FAA approvals have been given at the time of the license modification. We request that any FCC approval include language that protects the significant investment by the aviation community in AMS(R)S equipment operating in 1626.5-1660.5 MHz band. We further request that any FCC approval include language equivalent to that in the Iridium appendix to DO-262A regarding the difficulties of simultaneous, independent on-board operation of Iridium and Inmarsat services[5].

Respectfully Submitted,

/S/

Diane Cornell
Vice President, Government Affairs
Inmarsat, Inc.

Cc: Mindel De La Torre
Gardner Foster
Robert Nelson
Howard Griboff
Sankar Persaud
Stephen Duall

[5] "Minimum Operational Performance Standards for Avionics Supporting Next Generation Satellite Systems (NGSS)," RTCA, Inc., Washington, DC, DO-262A, Dec. 16, 2008.