

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
GLOBALSTAR LICENSEE LLC, GUSA	)	
LICENSEE LLC, AND GCL LICENSEE LLC	)	
	)	
Application for Modification of	)	File No. SAT-MOD-20080904-00165
Nongeostationary Mobile Satellite Service	)	
System License (S2115) To Launch a Second-	)	
Generation System	)	
	)	
Application for Modification of Mobile	)	File No. SAT-AMD-20091221-00147
Satellite Service Earth Station Licenses and	)	
Mobile Earth Terminal Licenses To Authorize	)	
Communications with Second-Generation	)	
System and To Incorporate Previously-Granted	)	
Ancillary Terrestrial Component Authority	)	

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**OPPOSITION OF IRIDIUM SATELLITE LLC**

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**OPPOSITION OF IRIDIUM SATELLITE LLC**

Iridium Satellite LLC (“Iridium”), by its attorneys and pursuant to 47 C.F.R. § 1.45,<sup>1</sup> submits this Opposition to the recent Amendment and Application filed by Globalstar Licensee LLC, GUSA Licensee LLC, and GCL Licensee LLC (“Globalstar”)

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<sup>1</sup> Iridium is filing this Opposition pursuant to Section 1.45 of the Commission’s rules out of an abundance of caution in case the Commission does not place this application on Public Notice. Section 25.151 of the FCC’s rules requires the Commission to issue public notices listing “[t]he receipt of applications for major modifications to station authorizations” and “[i]nformation which the Commission in its discretion believes to be of public significance.” 47 C.F.R. § 25.151(a)(3), (7). Globalstar’s application meets both of these criteria and thus warrants a Public Notice so that all interested parties will be alerted to Globalstar’s proposals and can participate in the proceeding. Globalstar has requested that public notice as well. *See* Globalstar Amendment and Application, *infra*, at 2 n.2. Iridium reserves the right to file a Petition to Deny pursuant to Section 25.154 after the date of any such Public Notice.

in the above-captioned matters (“Amendment and Application”).<sup>2</sup> Globalstar’s Amendment and Application withdraws Globalstar’s pending request for the FCC to license the launch and operation of additional non-geostationary Big LEO mobile satellite service (“MSS”) satellites and seeks FCC authority to (1) change the operating parameters of existing U.S. satellites during a transition period and (2) modify Globalstar’s U.S. gateway earth station and mobile earth terminal licenses to authorize communications, including ancillary terrestrial component (“ATC”) services, with French-registered, “second-generation” MSS satellites.

## **I. INTRODUCTION AND SUMMARY**

In 2008, after protracted rulemaking proceedings, Iridium received from the FCC expanded exclusive spectrum rights and some additional shared spectrum rights in L-band spectrum previously licensed only to Globalstar.<sup>3</sup> Globalstar first sought judicial review of the Commission’s reallocation decision and then attempted to forestall or limit any modification of its and Iridium’s licenses. Both attempts failed. The U.S. Court of Appeals rejected Globalstar’s challenge to the rulemaking decision, and over one year

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<sup>2</sup> *Globalstar Licensee LLC, GUSA Licensee LLC, and GCL Licensee LLC, Application for Modification of Nongeostationary Mobile Satellite Service System License (S2115) To Launch a Second-Generation System; Application for Modification of Mobile Satellite Service Earth Station Licenses and Mobile Earth Terminal Licenses To Authorize Communications with Second-Generation System and To Incorporate Previously-Granted Ancillary Terrestrial Component Authority*, File Nos. SAT-MOD-20080904-00165, SAT-AMD-20091221-00147, Amendment to Application for Modification of Mobile Satellite Service Space Station License and Application for Modification of Mobile Satellite Service Earth Station and Mobile Earth Terminal Licenses (filed Dec. 21, 2009) (“Globalstar Amendment and Application”).

<sup>3</sup> *Spectrum and Service Rules for Ancillary Terrestrial Components in the 1.6/2.4 GHz Big LEO Bands; Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands*, Second Order on Reconsideration, Second Report and Order, and Notice of Proposed Rulemaking, 22 FCC Rcd 19733, ¶ 1 (2007) (“MSS Reallocation Order”).

ago, the Commission rejected Globalstar's license protest efforts.<sup>4</sup> In modifying Globalstar's and Iridium's licenses, the Commission refused to set aside the reallocation decision or to limit the reallocation to spectrum uses to and from the United States only.<sup>5</sup>

Rather than comply with the Commission's legally effective actions and the express provisions of its modified MSS license, Globalstar continued to use the spectrum reallocated exclusively to Iridium while simultaneously seeking special temporary authority ("STA") and a waiver to do so.<sup>6</sup> Although the International Bureau expressly informed Globalstar of its obligations to comply with the reallocation decision pending any action on the STA and waiver request,<sup>7</sup> Globalstar ignored the warning. To this day (over one year later), Globalstar appears to have operated in clear, knowing, and willful violation of its license terms, the Commission's reallocation decision, and the International Bureau's directive.

Globalstar now seeks to end run the reallocation decision by transitioning from a U.S.-registered satellite system to a French-registered satellite system. The Commission should summarily reject this latest effort to undermine its authority:

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<sup>4</sup> *Globalstar, Inc. v. FCC*, 564 F.3d 476 (D.C. Cir. 2009); *Globalstar Licensee LLC, Call Sign S2115, Modification of Authority to Operate a Mobile Satellite Service System in the 1.6 GHz Frequency Band*, Order of Modifications, 23 FCC Rcd 15207 (2008) ("*October 15th Modification Order*") (modifying Globalstar's license despite Globalstar's objections).

<sup>5</sup> *See October 15th Modification Order*.

<sup>6</sup> *See Globalstar Licensee LLC and GUSA Licensee LLC – Request for Waiver and Request for Special Temporary Authority*, FCC File No. SAT-STA-20081215-00231 (filed Dec. 15, 2008) (requesting waiver of the *October 15th Modification Order* to use its channels 8 and 9 outside the U.S.); Letter from William Adler, Globalstar, Inc. to Marlene H. Dortch, FCC (Aug. 17, 2009) (narrowing the waiver request to three gateways in Russia).

<sup>7</sup> Letter from Roderick K. Porter, FCC, to William T. Lake, Counsel to Globalstar LLC, Call Sign S2115 (Dec. 17, 2008).

- The FCC should take all appropriate steps to ensure that the U.S. retains priority for its ITU registrations in the Big LEO L-band over any later in time registrations by a different country.
- The FCC should condition any grant of Globalstar's Amendment and Application on compliance with the *MSS Reallocation Order* and the terms of Globalstar's U.S. license for its in-orbit space stations.
- The FCC should condition Globalstar's U.S. market access on France authorizing mobile earth stations to access Iridium using the full range of L-band spectrum allocated to Iridium by the Commission.
- Globalstar's Amendment and Application appears to conflict with the Commission's policy against dual licensing of space stations.

Iridium's interest with respect to Globalstar's license modification applications is to ensure that its spectrum rights under the FCC's spectrum reallocation decision are recognized and enforced irrespective of whether Globalstar's satellite system is licensed by the FCC, licensed jointly by the FCC and France, or licensed solely by France in the future. Globalstar is certainly free to pursue its future satellite plans through non-U.S. registrations at the ITU, but the FCC should take all necessary actions to maintain the effectiveness of its orders.

**II. THE COMMISSION SHOULD TAKE ALL APPROPRIATE STEPS TO ENSURE THAT THE U.S. RETAINS PRIORITY FOR ITS ITU REGISTRATIONS OVER ANY LATER IN TIME FILINGS BY A DIFFERENT COUNTRY.**

The express purpose of Globalstar's application is to evade and to negate the global effect of the FCC's reallocation and licensing decisions by becoming a French registered system. Indeed, one of the business reasons Globalstar identified in support of its decision to have France, rather than the United States, license its future satellites is

that the U.S. space station license would not provide “enough global L-band capacity.”<sup>8</sup> Globalstar’s unhappiness with U.S. spectrum allocation and licensing policies, however, does not mean that Globalstar can ignore the U.S. spectrum authority derived from decisions registered through the ITU coordination process.

While Globalstar is free to pursue its future satellite plans through a non-U.S. registration at the ITU, it may only do so if it respects the well-established ITU coordination process. A basic tenet of the ITU coordination process is that later in time registrations must coordinate with prior in time registrations.<sup>9</sup> In this case, France is obligated to coordinate its July 1, 2009 HIBLEO-X filing for the 1610-1626.5 MHz frequencies, with all of the earlier filings made by the United States for the same frequencies.<sup>10</sup>

Toward this end, the FCC should take all appropriate steps to ensure that the United States retains its global priority rights for the Big LEO L-band spectrum. Specifically, if it has not already done so, the FCC should notify France that coordination of the HIBLEO-X filing is required with prior U.S. filings. Thereafter, as part of the international coordination process, the United States should ensure that Globalstar’s proposed French-licensed satellite operations do not cause harmful interference to

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<sup>8</sup> Globalstar Amendment and Application, at 6 (citing *October 15th Modification Order*).

<sup>9</sup> International Telecommunication Union, Radio Regulations, Article 9 (Ed. of 2004); see also *Connecting the Globe: A Regulator’s Guide to Building a Global Information Community*, Section VIII – Regulating Satellite Networks: Principles and Process, available at <http://www.fcc.gov/connectglobe/sec8.html> (last visited Dec. 30, 2009).

<sup>10</sup> The requirement to coordinate under ITU Article 9.11A was an express consideration for the European Communications Committee Decision of 26 June 2009 on the harmonisation of the bands 1610-1626.5 MHz and the 2483.5-2500 MHz for use by systems in the Mobile-Satellites Service (ECC/DEC/(09)02), at 4.

Iridium's satellite operations both within and outside the United States. In doing so, the FCC should remain faithful to its prior determinations that separation of spectrum was necessary to prevent harmful interference and that Iridium requires exclusive global use of the 1618.725-1621.5 MHz band to avoid interference concerns.<sup>11</sup>

The FCC should also condition any grant on Globalstar's compliance with the ITU coordination process and require Globalstar to notify its U.S. customers that it may need to discontinue or to alter service depending on the outcome of the coordination process. The FCC consistently considers spectrum availability when reviewing requests for market access and imposes standard conditions to address concerns regarding ITU date priority.<sup>12</sup> The Commission previously has found that satellite networks with lower ITU priority are subject to proof of coordination with a higher ITU priority network, and absent such demonstration, the lower ITU priority satellite must cease service to the U.S. market, or be subject to further conditions designed to address potential harmful interference to a satellite with priority.<sup>13</sup> Imposing such conditions on Globalstar would

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<sup>11</sup> See, e.g., *October 15th Modification Order; MSS Reallocation Order*.

<sup>12</sup> See, e.g., *Star One S.A. Petition for Declaratory Ruling to Add the Star One C5 Satellite at 68° W.L. to the Permitted Space Station List*, Order on Reconsideration, 23 FCC Rcd 10896 ¶ 6 (2008) (finding that “[i]n the absence of a coordination agreement with a satellite network with higher ITU date priority, Star One C5 must cease co-frequency service to the U.S. market immediately upon launch and operation of the higher ITU-priority space station, or be subject to further conditions designed to address potential harmful interference to a space station with ITU date precedence.”); *Spectrum Five, LLC, Petition for Clarification of Condition in EchoStar 11 License*, Order, 23 FCC Rcd 12786 (2008); *Loral Spacecom Corporation, Petition for Declaratory Ruling to Add Telstar 13 to the Permitted Space Station List*, Order, 18 FCC Rcd 16374, ¶ 16 (2003) (“*Telstar 13 Permitted List Order*”).

<sup>13</sup> *Telstar 13 Permitted List Order*, ¶ 16.



help safeguard Iridium's right to global operations free from harmful interference in the 1618.725-1626.5 MHz band consistent with the United States' priority ITU filings.<sup>14</sup>

**III. THE FCC SHOULD IMPOSE CONDITIONS REQUIRING GLOBALSTAR'S COMPLIANCE WITH THE MSS REALLOCATION ORDER AND ITS EXISTING U.S. SATELLITE LICENSE.**

In its Application and Amendment, Globalstar seeks FCC authority to provide MSS and ATC services in the United States using French-licensed satellites and to modify the technical parameters of its U.S.-licensed satellites even while it continues to operate those U.S.-licensed satellites in violation of Commission orders. Given Globalstar's unending disregard for the Commission's authority,<sup>15</sup> the FCC should, as a pre-requisite to and condition of any grant, require Globalstar to operate in full compliance with its existing U.S. satellite license—including ceasing to operate all currently in-orbit satellites on spectrum in the 1618.725-1621.35 MHz band outside the United States. The Commission should also include reporting and monitoring requirements to ensure that Globalstar fully complies with this condition. By doing so, the Commission could give effect to its previous public interest findings and demonstrate that licensees cannot flout its rules with impunity.

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<sup>14</sup> The conditions would also serve the public interest by preserving the ITU date priority of the U.S. filings in the 1610-1617.75 MHz bands for use by future U.S. licensees.

<sup>15</sup> See *Globalstar Licensee LLC, GUSA Licensee LLC, and GCL Licensee LLC, Application for Modification of License for Operation of Ancillary Terrestrial Component Facilities; Application for Modification of Non-geostationary Mobile Satellite Service System License (S2115) To Launch a Second-Generation System; Application for Modification of Mobile Satellite Service Earth Station Licenses and Mobile Earth Terminal Licenses To Authorize Communications with Second-Generation System and To Incorporate Previously-Granted Ancillary Terrestrial Component Authority*, File Nos. SAT-MOD-20080516-00106, SAT-MOD-20080904-00165, SAT-AMD-20091221-00147, Motion to Hold Globalstar Applications in Abeyance (filed Dec. 31, 2009) (“Iridium Motion to Hold in Abeyance”) (outlining Globalstar's numerous violations).

As the applicant for a license modification, Globalstar bears the burden of demonstrating that granting its applications would serve the public interest.<sup>16</sup> It is difficult to imagine how Globalstar can meet that burden where, absent conditions, violations of the Commission’s rules would certainly continue upon grant. Globalstar’s public interest narrative makes no mention of coming into compliance with the spectrum limits or technical requirements of its existing U.S. space station license.<sup>17</sup> To the contrary, Globalstar concedes that grant of its pending waiver request would be necessary to condone its current use of the spectrum between 1618.725 and 1621.35 MHz in Russia and foreshadows that “at some point in the future once its second-generation ground network becomes operational, Globalstar may require the ability to operate above 1618.725 MHz from one or more additional gateways outside the United States.”<sup>18</sup> Globalstar also acknowledges that it lacks FCC authority for “ongoing modifications to the operations of its U.S.-licensed satellites.”<sup>19</sup> These and other Globalstar violations of FCC requirements are documented in the “Motion to Hold Globalstar Applications in Abeyance” filed today by Iridium.<sup>20</sup>

The Commission has ample authority to condition grant of Globalstar’s application on compliance with its existing U.S. licensee obligations—including operating satellites only on their assigned spectrum and in approved orbital planes. The Communications Act gives the Commission broad authority to grant applications for

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<sup>16</sup> See 47 U.S.C. §§ 308(a), (b), 309(a), (e); 47 C.F.R. § 25.117 (2009).

<sup>17</sup> See Globalstar Amendment and Application, at 24-33.

<sup>18</sup> *Id.* at 11, n.17.

<sup>19</sup> *Id.* at 12.

<sup>20</sup> See Iridium Motion to Hold in Abeyance, *supra* note 15.

license modifications subject to any conditions necessary to the public interest.<sup>21</sup> In addition, Commission precedent also demonstrates that imposing conditions serves as an important tool to promoting the public interest when granting applications.<sup>22</sup> In this case, the public interest requires conditions to stop Globalstar from violating its U.S. satellite license obligations. The continuing nature of Globalstar's non-compliant activities over the last year also justify requiring Globalstar to monitor and report compliance on a quarterly basis.

**IV. THE COMMISSION SHOULD DENY OR CONDITION GLOBALSTAR'S ACCESS TO THE U.S. MARKET UNTIL FRANCE RECIPROCALLY ALLOWS MOBILE EARTH TERMINALS TO ACCESS IRIDIUM USING THE 1617.75-1621.35 MHZ BAND.**

The Commission should deny or condition authority for U.S. gateway and mobile earth stations to access Globalstar's non-U.S.-licensed second-generation satellites until France reciprocally allows mobile earth terminals to access Iridium using the 1617.75-1621.35 MHz frequencies. Globalstar claims that "no showing" of effective competitive opportunities is required in connection with its Amendment and Application because its second-generation satellites are to be licensed by France, a World Trade Organization

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<sup>21</sup> See, e.g., 47 U.S.C. §§ 4(i), 303(r) ("[T]he Commission from time to time, as public convenience, interest, or necessity requires shall . . . prescribe such restrictions and conditions, not inconsistent with law, as may be necessary to carry out the provisions of this Act."); see also *id.* § 316(a)(1) (authorizing the Commission to modify any license "if in the judgment of the Commission such action will promote the public interest, convenience, and necessity").

<sup>22</sup> See, e.g., *TMI Communications and Company, Limited Partnership and TerreStar Networks Inc. Application for Review and Request for Stay; TMI Communications and Company, Limited Partnership, Application for Modification of 2 GHz LOI Authorization; TMI Communications and Company, Limited Partnership, and Terrestrial Networks, Inc. Request to Assign Spectrum Reservation*, Memorandum Opinion and Order, 19 FCC Rcd 12603, ¶¶ 42-47 (2004) (conditionally granting a request for modification of certain satellite license milestones, subject to strict conditions that the Commission found would increase the commitment to complete the system and thus protect the public interest).

(“WTO”) member.<sup>23</sup> However, the Commission’s presumption in favor of allowing satellites licensed by WTO member nations to enter the U.S. market is rebutted here by a “very high risk to competition.”<sup>24</sup> The Commission has reserved the right to condition applications for market access, even those by applicants licensed in WTO member nations, in cases where existing safeguards would not prevent anticompetitive harm.<sup>25</sup> The unique circumstances presented here provide ample risk of competitive harm for the FCC to deny or condition Globalstar’s U.S. market access pending reciprocity by France.

The French regulatory authorities have a history of denying Iridium equitable access to spectrum in France. For example, since 2004, when Iridium first demonstrated increased congestion over its network, the French regulatory authorities have denied Iridium access to any additional portion of the L-band, including the portion of the band that was reallocated from Globalstar to Iridium in 2008. During that time, the French regulatory authorities required Iridium to prove that its system would not cause interference into “CDMA networks” (*i.e.*, Globalstar) even on spectrum that is licensed exclusively to TDMA networks (*i.e.*, Iridium) by the ITU registering administration (*i.e.*, the U.S.). In addition, Iridium understands that France supported the ECC Decision to harmonize the Big LEO spectrum for MSS services that would allow MSS licensees, in particular Globalstar, to operate on the entire L-band, subject to operator-to-operator coordination, instead of endorsing the spectrum division approved by the FCC. These

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<sup>23</sup> Globalstar Amendment and Application, at 20-21.

<sup>24</sup> *Amendment of the Commission’s Regulatory Policies To Allow Non-U.S. Licensed Space Stations To Provide Domestic and International Satellite Service in the United States and Amendment of Section 25.131 of the Commission’s Rules To Eliminate the Licensing Requirement for Certain International Receive-only Earth Stations*, Report and Order, 12 FCC Rcd 24094, ¶¶ 39-41 (1997) (“*Disco II Order*”).

<sup>25</sup> *See Disco II Order* ¶ 41.

French activities are legal and practical barriers that limit Iridium's ability to compete effectively in France and, to the extent that they influence the market access decisions of other Administrations, in Europe more broadly.

The potential anti-competitive effects arising from the French registration are obvious and direct. As noted, Iridium has not been able to secure licenses in France even to use the spectrum reallocated from Globalstar to Iridium, and Globalstar now is pursuing rights to operate on all of the L-band spectrum through the French registration. Without market access conditions, Globalstar will secure from the French government a license to use 7.775 MHz of spectrum that it is not entitled to use under the U.S. registration, and Iridium could be cabined off in France (and elsewhere) to having access to only 5.15 MHz of the 7.775 MHz of spectrum allocated and licensed to Iridium by the FCC, subjecting it to a competitive disadvantage.

Moreover, Globalstar's repeated violations of FCC rules demonstrate that competition in the U.S. market, and internationally, could be harmed by future violations. In determining whether market access will lead to a risk to competition, the Commission has noted that it is "concerned with the impact of granting an authorization to an applicant that is unlikely to abide by the Commission's rules and policies."<sup>26</sup> The Commission further explained that "[t]he past behavior of an applicant may indicate that it would fail to comply with the Commission's rules and, as a result, could damage competition in the U.S. market and otherwise negatively impact the public interest."<sup>27</sup> As described in greater detail in Iridium's accompanying Motion to Hold in Abeyance,

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<sup>26</sup> *Disco II Order* ¶ 42.

<sup>27</sup> *Disco II Order* ¶ 42 (adding, "We find that such conduct demonstrates that an entity is likely to evade our rules and thus may pose a very high risk to competition.").

Globalstar has repeatedly acted in violation of the Commission's rules and its FCC licenses.<sup>28</sup> Globalstar therefore is unlikely to comply with the Commission's rules in the future, posing a very high risk to competition. Accordingly, the Commission should condition grant of Globalstar's application on France authorizing mobile earth stations operating in France to access Iridium using the full amount of L-band spectrum licensed for Iridium's use by the Commission and to ensure comparable market access rights in all other respects as well.<sup>29</sup>

**V. GLOBALSTAR'S AMENDMENT APPEARS TO CONFLICT WITH THE COMMISSION'S POLICY AGAINST DUAL LICENSING OF SPACE STATIONS.**

The Commission does not license space stations that are licensed by another administration.<sup>30</sup> In the Commission's view, dual licensing of space stations is "redundant," "time-consuming," and "wasteful."<sup>31</sup> The Commission also has expressed concern that dual licensing "would raise issues of national comity" and "issues regarding

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<sup>28</sup> See *supra*, Iridium Motion to Hold in Abeyance.

<sup>29</sup> The Commission should also consider authorizing Iridium's satellites to operate on the entire L-band. Globalstar expects to receive a French authorization to operate "throughout the entire portion of the L-band spectrum allocated for Code Division Multiple Access ("CDMA") MSS operations throughout the rest of the world, subject to national licensing." Amendment and Application, at 6, n.11. Globalstar also notes that the ECC decision eliminating band segmentation in the Big LEO bands "would theoretically allow Globalstar to operate above 16231.35 MHz in CEPT countries, subject to coordination with Iridium". Amendment and Application, at 7, n. 14. To avoid any competitive disadvantage, the FCC should similarly authorize Iridium to access the full L-band and thus expand its use of spectrum globally pursuant to the ECC harmonisation decision, coordination with Globalstar's later-filed French system and national licensing.

<sup>30</sup> See generally *Disco II Order* ¶¶ 183, 187-188; *Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States*, Notice of Proposed Rulemaking, 11 FCC Rcd 18178, ¶¶ 13-14 (1996) ("*WTO Implementation NPRM*").

<sup>31</sup> *WTO Implementation NPRM* ¶ 14.

international coordination responsibilities.”<sup>32</sup> For all of these reasons, the Commission has determined that dual licensing is contrary to the public interest.<sup>33</sup>

The licensing arrangement Globalstar has proposed appears to conflict with this fundamental principle. Globalstar seeks authority to begin its next generation operations using a 32-satellite constellation consisting of “24 new satellites and the 8 satellites launched in 2007.”<sup>34</sup> The 24 new satellites would be licensed exclusively by France. The 8 satellites launched in 2007, however, already have been licensed by the Commission, to serve as in-orbit spares for Globalstar’s first generation system,<sup>35</sup> and under Globalstar’s proposal also would operate as part of the second generation constellation licensed by France.<sup>36</sup> Accordingly, Globalstar’s proposal seems to run afoul of the Commission’s policy against dual licensing.

Globalstar’s proposed arrangement suffers from the very infirmities that prompted the Commission to reject dual licensing. If the 8 satellites that the Commission already has licensed were to operate under French authority as well, it would be unclear which administration bears responsibility for the space stations. This uncertainty would extend to the full range of responsibilities that are associated with space station licensing, including responsibilities for resolving interference issues and for coordinating space stations under ITU procedures. Dual licensing also would cloud the picture as to which

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<sup>32</sup> *Disco II Order* ¶ 188.

<sup>33</sup> *See WTO Implementation NPRM* ¶ 14.

<sup>34</sup> Globalstar Amendment and Application, at 9.

<sup>35</sup> *Id.* at 4.

<sup>36</sup> *Id.* at 9.

administration is responsible for orbital debris mitigation measures to be taken at end-of-life and for liability if there were an in-orbit collision.

**VI. CONCLUSION.**

For the foregoing reasons, Iridium respectfully opposes and seeks conditions on any grant of Globalstar's Amendment and Application.

Respectfully submitted,

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December 31, 2009

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I, Donna Bethea-Murphy, am the Vice President of Regulatory Engineering for Iridium Satellite LLC (“Iridium”). I hereby declare under penalty of perjury that I am qualified to speak on behalf of Iridium and that I have reviewed the preceding Opposition submitted on behalf of Iridium, and the factual statements therein are complete and accurate to the best of my knowledge, information, and belief.

/s/ Donna Bethea Murphy

Donna Bethea Murphy  
Vice President – Regulatory Engineering  
Iridium Satellite LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on December 31, 2009 I caused a true and correct copy of the foregoing to be served by first-class mail, unless noted otherwise, on the following:

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