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June 4, 2018

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Notice of Written *Ex Parte* Presentation, O3b Limited, File Nos. SAT-MOD-20160624-00060, SAT-AMD-20161115-00116, SAT-AMD-20170301-00026 & SAT-AMD-20171109-00154

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2)(iv) of the Commission's rules, O3b Limited ("O3b") hereby responds to an *ex parte* letter Iridium Constellation LLC ("Iridium") submitted on May 31, 2018.¹ The Iridium Letter references changes requested by O3b² to the Commission's draft decision relating to the above-referenced applications.³ Two of those changes concern the 19.3-19.7 GHz and 29.1-29.5 GHz bands, a portion of which Iridium uses for feeder links for its non-geostationary satellite orbit ("NGSO") mobile-satellite service ("MSS") network.

Notably, Iridium does not object to O3b's request that the Commission clarify that coordination with Iridium is not a prerequisite for O3b's operation in NGSO MSS feeder link band segments and polarization configurations that Iridium does not use.⁴ Thus, Iridium implicitly acknowledges that O3b need not coordinate with Iridium to operate on spectrum in which Iridium has no operations.

Iridium's opposition to O3b's second request – for authority to commence U.S. operations in NGSO MSS feeder link frequencies pending completion of coordination with Iridium⁵ – is without merit, as the Commission's regulatory framework fully protects Iridium from any

¹ Letter from Joseph A. Godles, Counsel to Iridium Constellation LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, IBFS File Nos. SAT-MOD-20160624-00060, *et al.* (filed May 31, 2018) ("Iridium Letter"); 47 C.F.R. § 1.1206(b)(2)(iv).

² Letter from Suzanne Malloy, Vice-President, Regulatory Affairs, O3b Limited, to Marlene H. Dortch, Secretary, Federal Communications Commission, IBFS File Nos. SAT-MOD-20160624-00060, *et al.*, at 2 (filed May 31, 2018) ("O3b Letter").

³ Modification of U.S. Market Access for O3b Limited, Order and Declaratory Ruling, IBFS File Nos. SAT-MOD-20160624-00060, SAT-AMD-20161115-00116, SAT-AMD-20170301-00026 & SAT-AMD-20171109-00154, FCC-CIRC1806-05 (rel. May 17, 2018) ("Draft Order").

⁴ O3b Letter at 1-2, ¶ 1.

⁵ *Id.* at 2, ¶ 2.

potential interference resulting from O3b's use of this spectrum. As O3b has repeatedly emphasized, it is committed to coordinating with Iridium,⁶ and O3b anticipates that coordination discussions will be well advanced – if not completed – before O3b deploys satellites equipped with NGSO MSS feeder link spectrum. O3b is simply seeking to ensure that any coordination condition does not delay operations when there is no chance of interference.

Contrary to Iridium's claim, authorizing O3b satellites to use NGSO MSS feeder link spectrum pending coordination will not “expose Iridium's operations to harmful interference.”⁷ O3b cannot begin feeder link operations in the U.S. until the Commission licenses one or more O3b earth stations to operate in these bands. Section 25.250 of the Commission's rules governs sharing between NGSO MSS networks in this spectrum and specifies that coordination is required only for “NGSO MSS feeder link earth stations separated by 800 km or less.”⁸ Under this rule, an O3b feeder link earth station located more than 800 km from an existing Iridium facility by definition does not pose an interference threat to Iridium and can be deployed without prior coordination.

The Commission should modify the language of Paragraph 46.c of the Draft Order to ensure consistency with the sharing framework codified in Section 25.250. In particular, the second sentence of Paragraph 46.c as written could be read to prohibit O3b from communicating with MSS feeder link earth stations in the U.S. that do not require coordination under Section 25.250 until after O3b has completed coordination with Iridium for any O3b earth stations proposed to be located within 800 km of an Iridium feeder link site. To guard against such a misinterpretation, O3b suggests that the Commission revise the second sentence of Paragraph 46.c by reordering the clauses and adding an express reference to Section 25.250:

Transmissions in these frequency bands to or from any earth station located in U.S. territory for which coordination is required under Section 25.250 shall not be conducted until a coordination agreement for that earth station is obtained.

This formulation fully protects Iridium while allowing O3b to commence use of NGSO MSS feeder link spectrum as permitted by Commission provisions for sharing of these frequencies.

Sincerely,



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⁶ See, e.g., *O3b Limited*, File No. SAT-AMD-20171109-00154, Narrative at 5.

⁷ Iridium Letter at 2.

⁸ 47 C.F.R. § 25.250(b).