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

In the Matter of	)	
	)	
Iridium Satellite LLC	)	File Nos. SAT-MOD-19961204-00139,
	)	SAT-AMD-20050816-00160, and
Application to Modify the Iridium	)	SAT-AMD-20051118-00236
Mobile-Satellite Service Space Station	)	
License to Include Operating Authority for	)	
Aeronautical Mobile-Satellite (Route)	)	
Service	)	

OPPOSITION OF IRIDIUM SATELLITE LLC

Iridium Satellite LLC ("Iridium"), pursuant to Section 25.154(c)[1] of the Commission's rules, hereby responds to comments filed with respect to a supplement to its above-captioned application.

In its initial application, Iridium sought to modify its space station license to include operating authority for Aeronautical Mobile Satellite (Route) Service ("AMS(R)S") (the "Application").[2] In its supplement, which was filed on December 13, 2011, Iridium reported that the Federal Aviation Administration ("FAA"), the International Civil Aviation Organization and the Radio Technical Committee for Aeronautics have adopted performance standards for Iridium AMS(R)S avionic equipment and granted approval for use of Iridium equipment for AMS(R)S operations.

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1 47 C.F.R. § 25.154(c).

2 *See* Application for Authority to Provide Aeronautical Mobile-Satellite (Route) Service Over the IRIDIUM System, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20051118-00160, and SAT-AMD-20051118-00236 (originally filed Dec. 4, 1996); Letter from Donna Bethea-Murphy, Vice President Regulatory Engineering, Iridium, to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20051118-00160, and SAT-AMD-20051118-00236 (Dec. 13, 2011).

On December 16, 2011, the Commission released an "informative" public notice giving interested parties an opportunity to file comments on Iridium's supplement on or before January 11, 2011.[3]

As the record demonstrates, grant of Iridium's Application as supplemented will serve the public interest by enhancing aviation safety and introducing competition in the provision of AMS(R)S services. For this reason, Hawaiian Airlines, Delta and United Airlines all filed comments supporting grant of Iridium's Application.

Furthermore, the comments addressing Iridium's supplement that were filed by Globalstar, Inc. ("Globalstar") and Inmarsat, Inc. ("Inmarsat") present no concerns. Neither party's comments even opposes a grant of Iridium's Application.

Globalstar raises an issue concerning priority and preemptive access for Iridium's AMS(R)S services in the portion of the Big LEO band that Iridium shares with Globalstar. This issue is moot because, as discussed below, Iridium will not provide AMS(R)S service in the shared band.

Inmarsat questions whether there might need to be changes to Aeronautical Mobile Satellite Service or AMS(R)S operations in adjacent bands. No changes are necessary, however, because the primary allocation for AMS(R)S in the Big LEO L-band means that operations in adjacent bands already need to take into account possible Big LEO AMS(R)S operations. Inmarsat also suggests that the Commission limit the regions in which Iridium is permitted to provide AMS(R)S. For reasons addressed below, however, it should suffice if the Commission requires that all of Iridium's AMS(R)S operations be consistent with FAA performance standards.

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[3] *See* Public Notice, Report No. SAT-00828.

Accordingly, no issues have been presented that present an impediment to Commission action, and Iridium respectfully requests that the Commission grant Iridium's Application promptly.

I. GRANT OF THE APPLICATION SERVES THE PUBLIC INTEREST.

The record shows that grant of Iridium's AMS(R)S application is in the public interest. As Iridium is the only mobile satellite communications provider capable of providing service covering the entire globe, including the polar regions, commercial airlines would benefit greatly from Iridium AMS(R)S service. This is made clear in the supporting comments filed by Hawaiian Airlines, Delta and United Airlines. Indeed, citing "Iridium's unparalleled coverage," the supporting airlines noted that "AMS(R)S over Iridium's unique global network would provide myriad benefits . . . by allowing us to enhance our flight safety and communications systems and further secure the safety of [our] passengers and crew."[4] Iridium's global system will allow aircraft operators to access communications capabilities continuously. As United Airlines stated, "[i]n many cases, Iridium is the only satellite network able to provide communications for the entire flight."[5] And, in addition to bolstering aviation and flight safety, Iridium's AMS(R)S

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[4] Letter from Captain Joe Burns, Managing Director Technology and Flight Test, United Airlines, to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20051118-00160, and SAT-AMD-20051118-00236, at 1-2 (Dec. 29, 2011) ("United Airlines Letter"); *see also* Letter from Captain Ken Rewick, Vice President, Flight Operations, Hawaiian Airlines, to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20051118-00160, and SAT-AMD-20051118-00236 (Jan. 10, 2012); Letter from Steve Dickson, Senior Vice President – Flight Operations, Delta Airlines, to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20051118-00160, and SAT-AMD-20051118-00236 (Jan. 12, 2012) ("Delta Airlines Letter").

[5] United Airlines Letter at 1-2.

will introduce competition to Inmarsat, currently the only AMS(R)S option available to commercial airlines.[6]

II. THE COMMENTS FILED BY GLOBALSTAR AND INMARSAT PRESENT NO CONCERNS.

The matters raised in the comments filed by Globalstar and Inmarsat are easily addressed.

First, Iridium seeks to operate AMS(R)S in the Big LEO L-band spectrum in which it is the sole licensee and will not operate AMS(R)S in the 1617.775–1618.725 MHz spectrum shared with Globalstar. This fact moots Globalstar's concern that Iridium's AMS(R)S could be given priority over Globalstar's services. It also renders inapt Globalstar's comparison to the Commission's 2001 grant of authority to Boeing in the 2 GHz band.[7] There, the Commission placed conditions on Boeing's AMS(R)S provision because of the possibility that Boeing sought "status superior to other 2 GHz MSS operators."[8] Iridium, by way of contrast, does not seek status superior to Globalstar

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[6] The Communications Act makes clear that the Commission should promote competition in satellite communications. *See, e.g.* 47 U.S.C. § 703(a) (requiring the Commission "to review competitive market conditions with respect to domestic and international satellite communications services" and report annually to Congress); 47 U.S.C. § 761 NOTE (noting that the purpose of the ORBIT Act is "to promote a fully competitive global market for satellite communication services for the benefit of consumers and providers of satellite services and equipment by fully privatizing the intergovernmental satellite organizations, INTELSAT and Inmarsat."); and 47 U.S.C. § 160(b) (generally requiring the Commission to consider the competitive effect of its regulations on the provision of telecommunications services).

[7] Comments of Globalstar, Inc., File Nos. SAT-MOD-19961204-00139, SAT-AMD-20051118-00160, and SAT-AMD-20051118-00236, at 2-3 (Jan. 11, 2012) ("Globalstar Comments").

[8] *Application of The Boeing Company Concerning Use of the 1990-2025/2165-2200 MHz and Associated Frequency Bands for a Mobile-Satellite System*, Order and Authorization, 16 FCC Rcd 13691, ¶ 39 (IB 2001).

in the 0.95 MHz of Big LEO spectrum shared with Globalstar; it will not even operate AMS(R)S in that shared spectrum.

Second, grant of Iridium's Application would not require any changes to Aeronautical Mobile Satellite Service ("AMSS") or AMS(R)S operations in adjacent bands.[9] As Inmarsat correctly notes, footnote 5.367 in the Table of Frequency Allocations specifically provides that the Big LEO L-band is also allocated to AMS(R)S on a primary basis.[10] Accordingly, under existing national and international standards AMSS or AMS(R)S operations in adjacent bands already need to take into account possible AMS(R)S operations in the Big LEO L-band.

And *third*, Inmarsat's suggestion that the Commission preclude Iridium from providing AMS(R)S service outside of oceanic and polar airspace is unwarranted.[11] The Federal Aviation Administration ("FAA") has adopted a performance-based methodology for airspace operations and management, which dictates the minimum communications requirements to operate in the National Airspace System ("NAS"). As such, the FAA does not limit a communications provider to a particular region based on geography, but on performance capabilities such as availability and latency. While the FAA to date has authorized aircraft operators to use Iridium for AMS(R)S only in oceanic and polar airspace, Iridium may introduce services or capabilities that could be approved by the FAA for use in terrestrial or terminal airspace. If the Commission were to limit Iridium's

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9 *See* Letter from Diane Cornell, Vice President, Government Affairs, Inmarsat, Inc., to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-MOD-19961204-00139, SAT-AMD-20051118-00160, and SAT-AMD-20051118-00236, at 3 (Jan. 11, 2012) ("Inmarsat Letter").

10 *Id.* at 1.

11 *See* Inmarsat Letter at 2.

AMS(R)S operations to particular routes, it would be required to revisit Iridium's authorization each time the FAA approved Iridium's AMS(R)S for additional or expanded uses. Such a procedure would delay introduction of new AMS(R)S services unnecessarily and would be wasteful of scarce Commission resources. To avoid these deficiencies, the Commission should authorize Iridium's to provide any AMS(R)S service that the FAA has found to be consistent with its performance guidelines.

III. CONCLUSION

For the foregoing reasons, the Commission should expeditiously grant the Application.

Respectfully submitted,

By: *Donna Bethea Murphy*

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January 23, 2012

CERTIFICATE OF SERVICE

I, Jackie Martin, do hereby certify that on this 23rd day of January 2012, I caused a true copy of the foregoing "Opposition of Iridium Satellite LLC" to be sent by U.S. mail to:

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