

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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Federal Communications Commission  
Office of Secretary

In the Matter of )  
)  
GLOBALSTAR LLC f/k/a GLOBALSTAR, L.P. ) File Nos:  
) 183/184/185/186-SAT-P/LA-97  
) 182-SAT-P/LA-97(64)  
)  
For Modification of License for a Mobile ) IBFS File Nos.  
Satellite Service System in the 2 GHz Band ) SAT-LOA-19970926-00151-154  
) SAT-LOA-19970926-00156  
) SAT-AMD-20001103-00154  
For Waiver and Modification of ) SAT-MOD-20020717-00116-119  
Implementation Milestones for ) SAT-MOD-20020722-00107-110  
2 GHz MSS System ) SAT-MOD-20020722-00112  
) Call Signs S2320/21/22/23/24  
To: The Commission

Received

AUG 30 2005

Policy Branch  
International Bureau

**MOTION FOR LEAVE TO SUPPLEMENT PENDING  
PETITION FOR RECONSIDERATION**

Pursuant to 47 C.F.R. § 1.106(f), Globalstar LLC ("Globalstar") hereby files this request for leave to file the accompanying supplement to its pending petition for reconsideration in the above-captioned proceeding.<sup>1/</sup> As set forth below and in the accompanying supplement, Globalstar believes that the Commission's consideration of the information set forth in the supplement – which details significant changed circumstances that have occurred in the months during which the petition for reconsideration has been pending – is vital if the Commission is to have before it a complete and accurate record.<sup>2/</sup>

<sup>1/</sup> Globalstar, Petition for Reconsideration, File Nos. SAT-LOA-19970926-00151/52/53/54/56, *et al.* (filed July 26, 2004).

<sup>2/</sup> To the extent that Globalstar's petition for reconsideration might be viewed as akin to a pending license application, Globalstar submits the information contained in the supplement in order to ensure the continuing accuracy and completeness of that application, as required by section 1.65 of the Commission's rules, 47 C.F.R. § 1.65.

On July 26, 2004, Globalstar filed a petition for reconsideration of the Commission's decision not to reverse the International Bureau's cancellation of Globalstar's 2 GHz mobile satellite service ("MSS") authorization.<sup>3/</sup> In the thirteen months that have passed since that petition was filed, significant changes have occurred with respect to Globalstar's ownership, the increased availability of financing for the MSS industry, and acceptable design of new MSS systems.

First, on April 15, 2004 the Globalstar system fully emerged from bankruptcy proceedings as Thermo Capitol Partners, L.C.C. ("Thermo"), through its affiliates, completed the acquisition of the operations and assets of Globalstar, L.P. for an investment of \$43 million. Thermo's investment has allowed Globalstar to "re-launch" its services with an invigorated marketing and sales effort and to expand its existing MSS system.<sup>4/</sup> As a consequence, Globalstar now enjoys positive cash flow and can internally finance expansion of its business.

Second, as illustrated by the recent announcement of ICO Global Communications (Holdings) Limited, the financial markets have made clear their increased confidence in – and willingness to fund – the future of MSS services in the 2 GHz band.<sup>5/</sup> Globalstar now fully expects to secure the capital necessary to design and deploy its proposed 2 GHz system.

Finally, experience in the MSS marketplace since Globalstar filed its petition for reconsideration makes clear that market conditions do not support new non-geostationary orbit ("NGSO") MSS constellations. New NGSO systems are too expensive in light of the revenue

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<sup>3/</sup> Memorandum Opinion and Order, *Application of Globalstar, L.P., For Modification of License for a Mobile-Satellite Service System in the 2 GHz Band*, 18 FCC Rcd 1249 (2003).

<sup>4/</sup> Since April 2004 Globalstar has acquired a gateway and other assets of an unaffiliated Globalstar service provider in Venezuela, has constructed a gateway in Florida and started construction of another in Alaska, has entered into a new \$140 million user terminal development and production contract with QUALCOMM, and has begun negotiations with launch services providers to launch its eight spare satellites.

<sup>5/</sup> See ICO North America Closes Sale of \$650 Million of Convertible Senior Secured Notes, Press Release, Aug. 15, 2005, available at <http://www.ico.com/pr2.htm>.

these systems are capable of generating, and geostationary orbit (“GSO”) MSS systems present a more efficient and effective means of delivering services in the 2 GHz MSS band.<sup>6/</sup> Moreover, since the mid-1990s, technological developments in both the space and ground segments make it possible for geostationary satellites to meet the needs of MSS subscribers. Accordingly, Globalstar has changed its system design from the original hybrid NGSO/GSO system to a GSO system.

Granting Globalstar’s motion for leave to file a supplement to the pending petition for reconsideration will not cause harm to any party. Granting the motion will furnish the Commission with a more complete and accurate record on which to base its action on Globalstar’s pending petition for reconsideration.

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<sup>6/</sup> The Commission recently granted the application of ICO Satellite Services G.P. to modify its reservation of spectrum for a NGSO system to a geostationary system. See Memorandum Opinion and Order, *ICO Satellite Services G.P., Application for Modification of 2 GHz LOI Authorization*, File No. SAT-MOD-20050110-00004, DA 05-1504 (rel. May 24, 2005). SkyBridge L.L.C., which in July 2005 received an authorization to construct a NGSO system, surrendered its license only one month later. See Public Notice, Report No. SAT-00314, DA No. 05-2327, Aug. 19, 2005. See also, *The Boeing Company*, Order and Authorization, DA 03-2073 (rel. June 24, 2003), wherein the Commission granted Boeing’s application to modify its proposed 2 GHz system from a 16-satellite NGSO configuration to a single GSO satellite. Boeing subsequently surrendered its license.

**Conclusion**

The Commission should grant Globalstar leave to file the accompanying supplement.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "W. T. Lake", is written over a horizontal line.

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August 26, 2005

**CERTIFICATE OF SERVICE**

I, Nathan T. Mitchler, hereby certify that I have on this 26th day of August, 2005 caused to be served true and correct copies of the foregoing "Motion for Leave to Supplement Pending Petition for Reconsideration" upon the following persons via hand delivery (marked with an asterisk (\*)) or via United States mail, first-class postage prepaid:

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