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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

APR 26 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	Received
)	
Mobile Satellite Ventures Subsidiary LLC)	APR 30 2004
)	
Application for Modification of Space Station License (AMSC-1))	File No. SAT-MOD-20031118-00333 Policy Branch International Bureau
)	
Amendment to Pending Application to Launch and Operate a Next-Generation Replacement MSS Satellite System)	File No. SAT-AMD-20031118-00332
)	
)	
Application for a Modification of Blanket License to Operate Mobile Earth Terminals with MSAT-1)	File No. SES-MOD-20031118-01879
)	

REPLY OF INMARSAT VENTURES LTD

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REPLY OF INMARSAT VENTURES LTD

Inmarsat Ventures Limited (“Inmarsat”) hereby replies to the Response of Mobile Satellite Ventures Subsidiary LLC (“MSV”) in the above-cited proceedings.¹

INTRODUCTION AND SUMMARY

Under the guise of “technical advancements,” MSV seeks to undermine the very underpinnings of the ancillary terrestrial component (“ATC”) service rules,² though a series of twelve waiver requests. Like the Wizard in the movie *Wizard of Oz*, MSV hides behind a curtain, pulling levers, setting off explosions, and creating smoke. When Inmarsat pulls back the curtain and exposes the ruse, MSV pleads with the Commission to ignore what it said and to look

¹ See Response of Mobile Satellite Ventures Subsidiaries LLC to Opposition of Inmarsat Ventures Ltd., Application of MSV, File Nos. SAT-MOD-20031118-00333, SAT-AMD-20031118-00332, SES-MOD-20031118-01879 (April 14, 2004) (“*MSV Response*”).

² See *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands, Report and Order*, 18 FCC Rcd 1962 (2003) (the “*ATC Order*”), amended by *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands, Errata*, IB Docket Nos. 01-185 and 02-364 (March 7, 2003).

at new technology that MSV claims it has spent lots of money developing. As a further distraction, MSV has resorted to the timeworn yarn that Inmarsat (a fully privatized company no longer under control of its former signatories) used to be an intergovernmental organization that is not playing fair. The claims of allegedly problem-solving “innovations” and MSV’s unfounded sniping about the current state of competition are, with apologies to William Shakespeare, merely a tale full of sound and fury, signifying nothing.

The Commission should take no comfort in MSV’s assurances that “everything will be all right” if the Commission simply moves quickly and allows MSV to deploy yet another competitive offering in the ever-consolidating terrestrial wireless marketplace. There are very real technical problems with MSV’s proposal to increase the size of its proposed terrestrial network *by a factor of 17* by, among other things, requiring Inmarsat to accept a significant increase in uplink interference to a total of 6% $\Delta T/T$, and by lowering the level of protection currently provided to Inmarsat mobile users, including U.S. military, other U.S. Government users, aeronautical, maritime and land mobile commercial users. There should be policy concerns as well.

The reality is that MSV’s applied-for ATC system is little more than an attempt to convert the fundamental nature of the L-band at the expense of the MSS services provided by other entities. The Commission attempted to slam the door on such a scam, by limiting MSV to 1725 ATC base station spectrum reuses, and clearly warning ATC licensees that it would not countenance “gaming” the system.³ For all of its talk of “researching and developing ways to increase efficient use of L-band spectrum,” MSV is far more focused on terrestrial usage of the L-band than advancing the state of *satellite services* at L-band. Indeed, MSV’s recent

³ See *ATC Order* at ¶ 3, n.5.