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Federal Communications Commission  
Office of Secretary

December 13, 2005

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: *Ex Parte* Submission in File No. SAT-MOD-20050301-00054

Dear Ms. Dortch:

On December 13, 2005, the undersigned, along with Josh Roland and Paul Monte, spoke by telephone with Richard Engelman and William Bell of the Commission's International Bureau ("IB") staff regarding the status of the above-referenced application. During those conversations, the IB staff requested further information regarding Globalstar's compliance with Section 25.149(b)(2)(i) of the Commission's rules, 47 C.F.R. § 25.149(b)(2)(i). Section 25.149(b)(2)(i) requires that "Operational NGSO MSS ATC systems shall maintain an in-orbit spare satellite."

In Exhibit B, p. 2, of its ancillary terrestrial component ("ATC") application, filed March 1, 2005, Globalstar explained how it met this rule requirement. The IB staff has inquired whether, in light of the more recent information contained in Globalstar's Annual MSS Report for S2115, filed October 17, 2005 ("Annual Report"), Globalstar continues to maintain an in-orbit spare capable of use to maintain the geographic and temporal coverage required by the Commission's ATC rules.

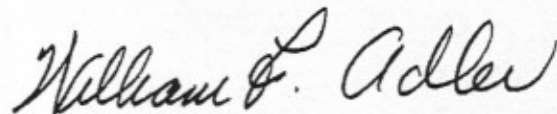
As noted in the Annual Report, a significant number of Globalstar's satellites have experienced S-band antenna subsystem anomalies and have had to be taken out of service either temporarily or permanently. Because of recent additional anomalies, Globalstar has placed its three in-orbit spares into operation. The company hopes to bring some or all of the recently failed satellites back into service; however, the process of doing so takes many months because changes in payload operating parameters must be commanded slowly over time before commercial use can begin again. Accordingly, while at this time Globalstar does not have an in-orbit spare, it is likely that satellites temporarily out of service will be recovered prior to the planned initiation of ATC service during the latter part of 2006. Furthermore, Globalstar will launch at least four, and perhaps all eight, of its ground spares beginning in the first or second quarter of 2007,<sup>1</sup> at which time it expects to have multiple in-orbit spares once again.

<sup>1</sup> Globalstar is currently negotiating launch services agreements with two vendors pursuant to Technical Assistance Agreements and Technology Transfer Control Agreements recently approved by, respectively, the Directorate of Defense Trade Controls of the U.S. Department of State, and the Defense Technology Security Administration.

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If the Commission determines that the in-orbit spare requirement must be satisfied at the time that an ATC authorization is granted, rather than at the time that ATC service is initiated, and that Globalstar does not meet the in-orbit spare requirement imposed by section 25.149(b)(2)(i), then Globalstar respectfully requests a waiver of that provision for the limited period of time before Globalstar returns to full compliance. Grant of Globalstar's request for a waiver of the in-orbit spare requirement for a limited period of time following grant of its ATC application, but prior to its initiation of ATC service, is fully consistent with the IB's MSV ATC Order,<sup>2</sup> which waived the analogous spare satellite requirement applicable to L-band MSS systems for a limited period of time.

Respectfully submitted,



William F. Adler  
Vice President-Legal & Regulatory Affairs

CC: Rodney Porter  
Robert Nelson  
Richard Engelman  
William Bell

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<sup>2</sup> See Mobile Satellite Ventures Subsidiary LLC -- Application for Minor Modification of Space Station License for AMSC-1, FCC File Nos. SAT-MOD-20031118-00333, SAT-AMD-20031118-00332, SES-MOD-20031118-01879, 19 FCC Rcd 22144 (November 8, 2004) at ¶ 25.