**NETWORKS AND
INFORMATION
INTEGRATION**

Mr. Karl B. Nebbia
Associate Administrator
NTIA Office of Spectrum Management
U.S. Department of Commerce
Herbert C. Hoover Building
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Mr. Nebbia,

The Department of Defense (DoD) is currently evaluating the Sky Terra Subsidiary LLC, application for Modifications of the Space Station and Ancillary Terrestrial Component (ATC) submitted to the Federal Communication Commission (FCC). The application addresses SkyTerra's proposed next generation Mobile-Satellite Service (MSS) license regarding its use of MSS L-band resources (1525-1544 MHz, space to Earth and 1626.5-1645.5 MHz Earth to space). The Department recognizes the importance of this matter as it pertains to the broader goal of affordable service to the public. Within the FCC's recent National Broadband Plan, recommendation 5.8.4, clearly states that, "the FCC must take care to ensure that the MSS market continues to provide public safety and government users with mission-critical satellite capabilities."

The DoD commends the FCC for taking a position to recognize the importance of protecting federal earth-stations from harmful interference, but the actual methods for ensuring that goal is reached remains under discussion and negotiation between DoD and the commercial satellite service providers. The DoD met with SkyTerra and Inmarsat many times over the last several months to achieve a viable spectrum sharing criteria by first evaluating the modeling and technical assumptions needed to better understand the situation. Significant work and effort was put forth by all that provided a sound technical basis for DoD initiating further dialogue with Inmarsat on the implementation of any material solutions and coordination requirements needed to ensure successful coexistence between Skyterra and Inmarsat networks such that DoD's use is not adversely impacted.

Recognizing that Federal MSS earth-stations operating in L band require a high confidence of protection from interference for national security reasons, it is essential that any deployment of ATC stations by SkyTerra be contingent on reaching prior agreement with DoD in certain circumstances. Specifically, the Department proposes that ATC systems desiring to operate near military installations be conditioned on obtaining the agreement of the military frequency management office responsible for the potentially affected military installation before any ATC station can be deployed at such locations.

With that said, the DoD proposes the following requirements and considerations be included-or appropriately referenced in the FCC Order and Authorization.

a. DoD expects that SkyTerra, as well as Inmarsat, will continue to work with the military to reach out to affected users to provide notification of the need to modify or replace terminals, as well as the assistance to be provided, as a result of the proposed ATC operations to ensure uninterrupted military services.
b. The requirement to obtain DoD agreement before deploying any MSS ATC station in and/or around military installation.
c. Protection of Presidential and military communications.
d. SkyTerra shall submit to the Commission and NTIA no later than 24 months prior to commencement of ATC operations a more detailed demonstration of compliance with these requirements. The DoD, in consultation with NTIA and FCC, will then make a determination on whether SkyTerra met the requirement and can commence operating.

The Department requests SkyTerra continue to work with the DoD to resolve and identify any appropriate material solutions and/or service requirements needed to implement proper solutions to protect DoD operations in accordance with the finding of the technical studies. The point of contact for this action is Mr. Kenneth Turner, Spectrum and Communications Policy, at (703) 607-0735.

Sincerely,

Danny Price
Director, Spectrum and Communications Policy