

"Motion to Defer Deadline + File Consolidated Pleading"

SAT-MOD - 20091214-00152

File # SAT-MOD-20080516-00106



Call Sign S2115 Grant Date 01/13/10

(or other identifier)

Term Dates

From \_\_\_\_\_ To: \_\_\_\_\_

Approved: Stephen J. Duall

Stephen J. Duall  
Chief, Satellite Policy Branch  
December 29, 2009

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**FILED ELECTRONICALLY VIA IBFS**

Ms. Mindel De La Torre  
Chief, International Bureau  
Federal Communications Commission  
Washington, D.C. 20554

Re: **FCC File No. SAT-MOD-20080516-00106**  
***MOTION FOR LEAVE TO DEFER OPPOSITION DEADLINE***

Dear Ms. De La Torre:

On December 14, 2009, Globalstar Licensee LLC ("Globalstar") filed an application in the above-referenced proceeding seeking modification of certain of the conditions set forth in the Commission's 2008 Order and Authorization under which Globalstar was permitted to offer broadband Mobile Satellite Service ("MSS") Ancillary Terrestrial Component ("ATC") services to rural areas prior to the deployment of its second-generation MSS satellite constellation.<sup>1/</sup> On December 24, 2009, two parties – Iridium Satellite LLC ("Iridium") and CTIA–The Wireless Association ("CTIA") – filed pleadings opposing Globalstar's Modification Request,<sup>2/</sup> notwithstanding the fact that the International Bureau has not yet issued a Public Notice pursuant to section 25.151 of the Commission's rules seeking comment on the Request.

In order to eliminate the need for Globalstar to file multiple oppositions in response to Iridium's and CTIA's pleadings, as well as to any other pleadings that may be submitted once Globalstar's Modification Request is placed on Public Notice (which Globalstar hopes will happen in the near future), Globalstar respectfully requests permission to defer filing its opposition to Iridium's and CTIA's pleadings until the deadline set forth in section 25.154(c) of

<sup>1/</sup> See Globalstar Licensee LLC – Application for Modification of License for Operation of Ancillary Terrestrial Component Facilities, File No. SAT-MOD-20080516-00106, Request for Modification of Waiver Conditions (filed Dec. 14, 2009) ("Modification Request"). See also Globalstar Licensee LLC – Application for Modification of License for Operation of Ancillary Terrestrial Component Facilities, *Order and Authorization*, 23 FCC Rcd 15975 (2008).

<sup>2/</sup> See Motion To Dismiss and Opposition of Iridium Satellite LLC (filed Dec. 24, 2009) ("Iridium Motion"); Opposition of CTIA–The Wireless Association (filed Dec. 24, 2009 ("CTIA Opposition")).

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the Commission's rules for opposing formal petitions to deny Globalstar's Modification Request.<sup>3/</sup> As Iridium recognizes in its Motion, "Globalstar's application... warrants a Public Notice so that all interested parties will be alerted to Globalstar's proposal and can participate in the proceeding."<sup>4/</sup> Iridium further states in its pleading that it "reserves the right to file a Petition to Deny pursuant to Section 25.154" after Globalstar's Modification request is placed on Public Notice.<sup>5/</sup> By promptly placing Globalstar's Modification Request out for comment, the Bureau will ensure that all interested parties are given notice of, and have a full and fair opportunity to comment on, Globalstar's Request. Globalstar can then file a consolidated response to any and all oppositions, petitions, and comments, including Iridium's and CTIA's petitions. This will avoid the need for overlapping and repetitive filings that likely would result if Globalstar were required to respond seriatim to Iridium's and CTIA's pleadings and then to any formal Petitions to Deny its Modification Request that may be filed once it is placed out for comment.

Accordingly, Globalstar hereby requests leave to file a consolidated opposition to Iridium's and CTIA's petitions, as well any petitions that may be submitted once Globalstar's Modification Request is placed on Public Notice, in accordance with the deadline established by section 25.154. Establishment of a consolidated opposition deadline will not harm any party to this proceeding and will serve the public interest by enabling all interested parties to participate in the proceeding and avoiding the need for the parties to file, and the Bureau to consider, repetitive pleadings.

Respectfully submitted,

*/s/ Samir C. Jain*

Samir C. Jain  
*Counsel to Globalstar Licensee LLC*

cc: (By Email)  
Robert Nelson  
Cassandra Thomas  
Stephen Duall  
Karl Kensinger

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<sup>3/</sup> Under section 25.154, once Globalstar's Modification Request is placed out for comment, parties will have 30 days in which to file petitions to deny, and Globalstar will have 10 days after that in which to oppose them. *See* 47 C.F.R. § 25.154.

<sup>4/</sup> *See* Iridium Motion at 1 n.1.

<sup>5/</sup> *Id.*

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Jennifer Hindin  
Brian Josef