

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of:	)	
	)	
Globalstar Licensee LLC	)	File No. SAT-MOD-20080516-00106
	)	
Application for Modification of License for	)	
Operation of Ancillary Terrestrial	)	
Component Facilities	)	
	)	
	)	
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**OPPOSITION OF CTIA – THE WIRELESS ASSOCIATION®**

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## TABLE OF CONTENTS

<b>I. INTRODUCTION AND SUMMARY.....</b>	<b>1</b>
<b>II. THE COMMISSION SHOULD NOT PERMIT YET ANOTHER EXTENSION OF TIME TO GLOBALSTAR. ....</b>	<b>2</b>
<b>A. Globalstar Has Failed to Satisfy The Commission's Original ATC Requirements. ....</b>	<b>2</b>
<b>B. Globalstar Also Has Failed to Satisfy The Commission's Waiver Requirements.....</b>	<b>4</b>
<b>C. And Now, Globalstar Seeks Another Waiver of an Unambiguous     Commission Requirement. ....</b>	<b>6</b>
<b>III. THE COMMISSION SHOULD INSTEAD REALLOCATE THE GLOBALSTAR SPECTRUM FOR WIRELESS BROADBAND SERVICES. ....</b>	<b>9</b>
<b>IV. CONCLUSION .....</b>	<b>12</b>

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**OPPOSITION OF CTIA – THE WIRELESS ASSOCIATION®**

**I. INTRODUCTION AND SUMMARY.**

CTIA – The Wireless Association® (“CTIA”)<sup>1</sup> hereby opposes Globalstar Licensee LLC’s (“Globalstar”) request for modification of its ancillary terrestrial component (“ATC”) waiver.<sup>2</sup> The Commission should not permit yet another extension of time to Globalstar to comply with the ATC gating criteria – a set of conditions intended to preserve the essential character of the Mobile Satellite Service (“MSS”) spectrum for international satellite services.<sup>3</sup> The Commission’s initial grant of the waiver was clearly specified to be a temporary measure

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<sup>1</sup> CTIA-The Wireless Association® is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the organization covers Commercial Mobile Radio Service (“CMRS”) providers and manufacturers, including cellular Advanced Wireless Service, 700 MHz, broadband PCS, and ESMR, as well as providers and manufacturers of wireless data services and products.

<sup>2</sup> Request for Modification of Waiver Conditions, Globalstar Licensee LLC, File No. SAT-MOD-20080516-00196 (filed Dec. 14, 2009) (“Request for Modification of Waiver”).

<sup>3</sup> 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, ¶ 2 (2003) (“ATC Report & Order”).

without any capability for further extension. In fact, all three Commissioners who voted for the waiver discussed a termination of the grant if the requirements were not met. Now that Globalstar has requested an additional 16 months, the Commission must follow its previously stated position, terminate its original waiver, and reclaim and reallocate Globalstar's spectrum.

Instead of further delaying the viable, spectrally-efficient use of the Globalstar spectrum, the Commission should reallocate Globalstar's spectrum, which is only used to accommodate Globalstar's one-way data paging service, for terrestrial mobile broadband. Opening this valuable spectrum up to the competitive marketplace will allow the Commission to faithfully meet the competitive bidding requirements under Section 309(j) of the Communications Act, as amended, 47 U.S.C. § 309(j), and bolster its stated goals to ensure that ATC authority does not undermine satellite services.

## **II. THE COMMISSION SHOULD NOT PERMIT YET ANOTHER EXTENSION OF TIME TO GLOBALSTAR.**

Globalstar's repeated failures to satisfy Commission requirements should result in a denial of any extension and a reallocation of its spectrum. Globalstar not only requests an additional extension now, but also has failed to satisfy the original ATC requirements, as well as the requirements of its first waiver request. Throughout this extended proceeding, several Commissioners have echoed the concerns that CTIA raised first in the initial ATC proceeding, and then again in the first Globalstar waiver proceeding. The Commission is now at a point where it is time to conclude that this Company has failed to live up to its licensee obligations.

### **A. Globalstar Has Failed to Satisfy The Commission's Original ATC Requirements.**

The Commission has made clear that authority to deploy ATC services depends wholly on the MSS licensee's continuing provision of "substantial satellite service to the public" as the

primary service and necessary precondition to ATC operations.<sup>4</sup> Indeed, at the time that the Commission adopted the current MSS/ATC gating criteria, Commissioners Copps and Adelstein feared that this specific scenario would come to fruition. Commissioner Copps stated:

. . . I support the strict gating requirements we insist on before ATC authority may be exercised. Satellite licensees must protect the vitality of satellite services in order to win ATC rights. This means operating their own satellite facilities, meeting tough construction and deployment milestones, providing “substantial satellite service,” providing satellite-capable phones at point of sale, and either complying with the dual-mode-phone safe harbor or successfully demonstrating that another arrangement protects satellite service.<sup>5</sup>

Additionally, Commissioner Adelstein stated:

I remain concerned . . . that our decision raises the possibility of unintended consequences – our decision should not allow a Mobile Satellite Services (MSS) system with an ancillary terrestrial component to evolve into a terrestrial system with an ancillary mobile satellite component. I thus write separately to underscore my commitment to ensuring that mobile satellite service licensees fully comply with the so-called “gating” restrictions prior to receiving ancillary terrestrial authority. I will pay particular attention to MSS licensees not presently operating systems to make certain that they satisfy the gating requirements by operating their own satellite facilities and providing substantial satellite service to the public prior to receiving authority to provide terrestrial services.<sup>6</sup>

Globalstar has failed to meet this requirement. Globalstar’s satellite constellation has been failing dramatically, and due to the continuing degradation of its S-band satellites, its only fully

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<sup>4</sup> See *ATC Report & Order* at ¶ 3 & n.5 (“As we have repeatedly indicated, we intend to authorize ATC *only* as an ancillary service to the provision of the principal service, MSS. . . The purpose of our grant of ATC authority is to provide satellite licensees flexibility in providing satellite services that will benefit consumers, not to allow licensees to profit by selling access to their spectrum for a terrestrial-only service.”) (emphasis in original).

<sup>5</sup> *Id.*, Separate Statement of Commissioner Michael J. Copps, Approving in Part, Dissenting Part, at 2221 (emphasis added).

<sup>6</sup> *Id.*, Separate Statement of Commissioner Jonathan S. Adelstein at 2222 (emphasis added).

functioning service is a simplex one-way data paging service.<sup>7</sup> As the Commission has acknowledged, this one-way data service does not meet the gating criteria.<sup>8</sup>

**B. Globalstar Also Has Failed to Satisfy The Commission’s Waiver Requirements.**

This issue is before the Commission in a pending Petition for Reconsideration from CTIA of Globalstar’s first waiver grant.<sup>9</sup> In that filing, CTIA argued that the interim waiver provided to Globalstar in October 2008 will further eviscerate the ATC gating criteria. As CTIA and others have warned, meaningful enforcement of the ATC gating criteria is necessary to ensure that terrestrial use of the MSS bands remains ancillary to the “substantial satellite service” that the Commission’s MSS rules require.<sup>10</sup> The Commission now faces a situation where no “substantial satellite service” exists. Instead, there is a terrestrial service that is being launched with a

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<sup>7</sup> See, e.g., Globalstar, Inc. SEC Form 10-Q, (filed Nov. 6, 2009) (“Substantially all of our in-orbit satellites launched prior to 2007 have ceased to be able to provide two-way communications as a result of this degradation. Accordingly, as the number of in-orbit satellites (other than the eight spare satellites launched in 2007) with properly functioning S-band antenna amplifiers has decreased, even with optimized placement in orbit of the eight spare satellites, increasingly larger coverage gaps have occurred and will continue to occur over areas in which we have provided two-way communications service.”).

<sup>8</sup> *Globalstar ATC Order* at ¶ 16, 18 (finding that one-way L band MSS is insufficient for compliance with the coverage criteria for Globalstar’s proposed S-band operations and concluding that “adapting an existing SPOT device (which provides a transmit-only, low-speed mobile tracking/messaging/emergency assistance satellite service) by incorporating a WiMAX broadband modem that will allow access via laptop computer or Voice Over Internet Protocol telephone to a two-way, high-speed wideband mobile data service does not provide the integrated MSS/ATC required by our rules”).

<sup>9</sup> CTIA – The Wireless Association®, Petition for Reconsideration, File No. SAT-MOD-20080516-00106, Call Sign: S2115 (filed Dec. 1, 2008).

<sup>10</sup> See Letter from Christopher Guttman-McCabe, CTIA – The Wireless Association®, to Marlene H. Dortch, File No. SAT-MOD-20080516-00106 at 5-6 (filed Oct. 28, 2008) (2008 CTIA *Ex Parte* Letter); CTIA Reply to Oppositions to Petition for Reconsideration of MSS/ATC Report and Order, IB Docket 01-185 & 02-364 at 2 (filed Sep. 4, 2003); Petition for Reconsideration of Cingular Wireless LLC, IB Docket 01-185 at 3, 7 (filed Jul. 7, 2003).

simultaneous request to extend the time frame for deployment of a satellite service. Open Range Communications' ("Open Range") \$267 loan commitment from the Department of Agriculture<sup>11</sup> cannot continue to justify the Commission's endorsement of Globalstar's inability to provide substantial satellite service that is effectively ancillary to Open Range's terrestrial service. This is the precise outcome that the ATC gating criteria were developed to guard against.<sup>12</sup> Even without an extension of time, there was a fear expressed in the record, and by Commissioners, that the original interim waiver granted in the *Globalstar ATC Order*<sup>13</sup> allows Globalstar to "game" the MSS/ATC regulatory scheme to maximize the use of MSS spectrum – which was not paid for at auction – for terrestrial use and fundamentally alter the purpose of the allocation. Now Globalstar is confirming those fears.

Due to the very limited nature of Globalstar's services, any extension of time would further diminish the primacy of the satellite service in relation to the supposedly "ancillary" Open Range terrestrial service in contravention of the ATC requirements.<sup>14</sup> So long as Globalstar delays the launch of its second-generation system, Open Range will continue to deploy its terrestrial services

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<sup>11</sup> See *Globalstar ATC Order* at ¶ 21.

<sup>12</sup> See *ATC Report & Order* at ¶ 74 (noting that the gating criteria "ensure that MSS providers use ATC only where space-station signals are attenuated and will not migrate their service toward terrestrial-only operation."); *id.* at ¶ 3, n.5 ("While it is impossible to anticipate or imagine every possible way in which it might be possible to 'game' our rules by providing ATC without also simultaneously providing MSS and while we do not expect our licensees to make such attempts, we do not intend to allow such 'gaming.'").

<sup>13</sup> Globalstar Licensee LLC, Application for Modification of License for Operation of Ancillary Terrestrial Component Facilities, Order and Authorization, File No. SAT-MOD-20080516-00106, Call Sign: S2115, 23 FCC Rcd 15975 (2008) ("*Globalstar ATC Order*").

<sup>14</sup> Grants of ATC authority require that MSS is the primary service: "To ensure that ATC will be ancillary to provision of MSS, the Commission adopted a general requirement that MSS operators must provide substantial satellite service." *Globalstar ATC Order* at ¶ 11.

linked to Globalstar’s simplex data service through an output on Globalstar’s SPOT product.<sup>15</sup> Indeed, by Globalstar’s requested extended deadline of November 1, 2011,<sup>16</sup> if Open Range meets its deadlines, it will have already deployed its services to two-thirds of the population in its markets.<sup>17</sup> The Commission should not allow a terrestrial underlay service to “game” the system by hiding behind a non-existent MSS operation. While CTIA is strongly supportive of building out wireless services to rural and unserved areas, continued waivers and extensions of time to an MSS provider with an inadequate satellite service while simultaneously allowing terrestrial build out in the spectrum is completely inconsistent with the Commission’s requirements to ensure that satellite providers do not use the spectrum authorized to them without the benefit of competitive bidding.

**C. And Now, Globalstar Seeks Another Waiver of an Unambiguous Commission Requirement.**

The Commission must not now permit further extension of what was unambiguously intended to be an “interim waiver.” When granting the original waiver request, the Commission stated, “[t]he waivers that we grant here, however, are *limited in scope*, and are subject to conditions that *set firm dates* by which Globalstar *must* comply with the gating criteria ....”<sup>18</sup> Indeed, the three Commissioners that voted to support the grant emphasized that it was strictly limited in duration, with a termination provision if the requirements were not met. Specifically,

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<sup>15</sup> *Id.* ¶ 6.

<sup>16</sup> Request for Modification at 13.

<sup>17</sup> “By the third quarter of 2011, Open Range will have built out facilities offering service to approximately four million rural residents.” Letter from William T. Lake, Counsel to Globalstar Licensee LLC, to Marlene H. Dortch, Secretary, FCC, File No. 20080516-00106 (filed Oct. 14, 2008).

<sup>18</sup> *Globalstar ATC Order* ¶ 23 (emphasis added).



Commissioner Copps stated that:

our waiver is strictly time-limited—the licensee must update its satellite system by mid-2010 and provide consumers with updated handsets by mid-2011. In fact, if the companies are unable to meet the benchmarks imposed by today’s waiver, or the terms of the Department of Agriculture’s loan, the waiver and the loan will both automatically terminate.”<sup>19</sup>

Commissioner Adelstein echoed this view, noting that “[t]he determination we make here is a narrow one, one that is limited to a date certain, and one that is terminable if compliance deadlines are not met.”<sup>20</sup> Commissioner Tate expressed her support based on the premise that “it is temporary in nature and imposes a strict set of conditions for noncompliance...”<sup>21</sup> Thus, there was a full understanding and agreement that Globalstar’s compliance with the gating criteria was to be accomplished by a “date certain” and “within strict time-frames.” Moreover, the Dissenting Joint Statement of Chairman Kevin J. Martin and Commissioner Robert M. McDowell cautioned that the Commission’s “rules outline the necessary preliminary requirements for operating a terrestrial service ancillary to a satellite system. This application does not meet these criteria and therefore sets an inappropriate precedent.”<sup>22</sup> All five Commissioners voiced concern. Now, that concern has come to fruition.

Even now, there is still no guarantee that Globalstar’s second-generation system will meet the gating criteria even if it is ultimately launched within the requested extended period of time.<sup>23</sup>

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<sup>19</sup> *Id.*, Statement of Commissioner Michael J. Copps at 15995.

<sup>20</sup> *Id.*, Statement of Commissioner Jonathan S. Adelstein at 15996.

<sup>21</sup> *Id.*, Statement of Commissioner Deborah Taylor Tate at 15997 (“I support this waiver because . . . it is temporary in nature and imposes a strict set of conditions for noncompliance....”).

<sup>22</sup> *Id.*, Dissenting Joint Statement of Chairman Kevin J. Martin and Commissioner Robert M. McDowell at 15998.

<sup>23</sup> *See* 2008 CTIA *Ex Parte* Letter at 6.

A grant of yet another waiver request would even more clearly render the Commission's "gating criteria" meaningless and make a mockery of the Commissioners' statements described above.

With regard to the specific circumstances of the newest waiver request, financial difficulties are hardly "unforeseeable occurrences" that justify a waiver.<sup>24</sup> As an initial matter, the economic difficulties claimed by Globalstar were well underway and widely reported in the media at the time Globalstar filed its original waiver request in May 2008.<sup>25</sup> Furthermore, it is a "long-standing principle in Commission cases that a failure to attract investors or an unfavorable

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<sup>24</sup> See Request for Modification of Waiver at 9 (describing the collapse of the global financial markets as a reason for delay). Although Globalstar also relies upon a delay involving a third party, Thales Alenia Space ("Thales"), to justify its need for more time, Globalstar has included no statement from Thales confirming that this is the case.<sup>24</sup> Section 25.117(c) of the Commission's Rules,<sup>24</sup> which sets out the requirements for a "condition of any earth station or space station authorization" to be extended, requires a "verified statement from the applicant." Given this standard, it would be reasonable to expect that Globalstar would provide a statement from Thales attesting to the accuracy of the delays associated with the earthquake on production.

<sup>25</sup> See, e.g., Steven R. Weisman, *Fed Chief Sees Possible Contraction in First Half*, N.Y. TIMES, April 3, 2008 at Section C, Column 0 ("In his bleakest economic assessment to date, Ben S. Bernanke, the Federal Reserve chairman, said Wednesday that the American economy could contract in the first half of 2008, meeting the strict definition of a recession, and he called on Congress to strengthen the nation's distressed housing industries."); Peter S. Goodman and Michael M. Grynbaum, *20,000 Jobs Lost As U.S. Registers 4<sup>th</sup> Monthly Dip*, N.Y. TIMES, May 3, 2008 at Section A, Column 0 ("The American economy lost 20,000 jobs in April, the fourth consecutive month of decline, in what many economists took as powerful evidence that the United States is almost certainly now ensnared in a recession."); Kelly Evans, *GDP Expands Slightly, but Gloomy Signs Persist*, WALL ST. J., May 1, 2008 at A13 (stating that "[t]he economy expanded slightly in the first quarter, but its faint pulse didn't allay concerns the U.S. is in or headed toward recession" and quoting a prediction that the economy will remain in a recessionary environment for the rest of the year); Sudeep Reddy, *Fed Officials Say Economy May Remain Sluggish for Some Time*, WALL ST. J., May 14, 2008 at A16 ("With financial markets continuing to face strains, the economy could remain sluggish for some time, Federal Reserve officials said."); Maya Jackson Randall, Jeff Bater & Tom Barkley, *U.S. News: Economic Data Add To Recession Worries*, WALL ST. J., May 16, 2008, at A3 (stating that "U.S. economic reports released Thursday are keeping recession worries afloat, showing continued weakness in the labor market and a struggling manufacturing sector" and quoting an economist's statement that the report "bolsters the argument that the economy is either in or heading into a recession").

business climate does not warrant an extension of a licensee’s milestones.”<sup>26</sup> And because “financing usually involves business decisions wholly within the control of the licensee,” the Commission does not grant waivers or extensions of milestones based on licensees’ business decisions.”<sup>27</sup> In particular, “the state of the financial markets ... does not justify an extension of ... milestone obligations.”<sup>28</sup>

In sum, CTIA urges the Commission to act on its pending Petition for Reconsideration, or on its own original waiver grant, and reverse its grant of an interim waiver to Globalstar. At the very least, the Commission should deny Globalstar’s request for an extension of time. To do otherwise would be inconsistent with the Commission’s prior statements and a full admission from the Commission that the ATC gating criteria have no force.

### **III. THE COMMISSION SHOULD INSTEAD REALLOCATE THE GLOBALSTAR SPECTRUM FOR WIRELESS BROADBAND SERVICES.**

Rather than granting an unsupported extension of time, the Commission should instead reallocate Globalstar’s spectrum for terrestrial wireless broadband services. Indeed, as Chairman Genachowski has recognized, the nation faces a “looming spectrum crisis” as mobile broadband demand greatly exceeds spectrum supply.<sup>29</sup> The Commission’s most recent National Broadband

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<sup>26</sup> *Net Sat 28 Company, LLC, Application for Modification of Ka-Band Space Station Authorization*, Memorandum Opinion and Order, 19 FCC Rcd 17722 ¶ 14 (Int’l Bur. 2004) (citing *Constellation Communications Holdings, Inc., Memorandum Opinion and Order*, 17 FCC Rcd 8831 (Int’l Bur. 2002)).

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> Julius Genachowski, Chairman, Federal Communications Commission, Remarks at CTIA Wireless IT & Entertainment: America’s Mobile Broadband Future, 1-2 (Oct. 7, 2009) (stating that, “Spectrum is the oxygen of our mobile networks. While the short-term outlook for 4G spectrum availability is adequate, the longer-term picture is very different. In fact, I believe that the biggest threat to the future of mobile in America is the looming spectrum crisis.”), *see also* Blair Levin, Executive Director, Omnibus Broadband Initiative, You Can’t Coach Height: A Winning Spectrum Strategy, Blogband.gov, (Oct. 29, 2009), *available at*

Plan presentation confirms that “[t]he demand for wireless broadband services will exceed the supply of spectrum to deliver those services .... There is not enough new spectrum for wireless broadband services in the pipeline to close this gap.”<sup>30</sup>

Although Globalstar has had ATC authority for nearly four years,<sup>31</sup> and authorization to operate a satellite system for much longer, it has failed to make effective use of the spectrum authorized by the Commission. As the Commission is aware, Globalstar cannot provide fully functioning two-way voice or data services.<sup>32</sup> The only additional subscribers to the Globalstar system over the past several years have been for its SPOT product – a simplex data product that allows only one-way service for end users.<sup>33</sup> Because the SPOT system functions on a one-way data network, it cannot provide users with any confirmation that messages are sent or allow users to correct a false alert to emergency personnel. In fact, multiple incidences of misuse of the

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<http://blog.broadband.gov/?authorId=10331> (noting that “one of the biggest challenges we face in meeting the broadband needs of this nation” is “lack of available spectrum for mobile broadband”).

<sup>30</sup> FCC Open Meeting, Presentation, National Broadband Plan Policy Framework at 15 (Dec. 16, 2009) *available at* [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-295259A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-295259A1.pdf)

<sup>31</sup> *See Globalstar LLC Request for Authority To Implement an Ancillary Terrestrial Component for the Globalstar Big LEO Mobile Satellite Service System*, Order and Authorization, 21 FCC Rcd 398 (2006) (granting Globalstar’s application for ATC authority subject to conditions).

<sup>32</sup> As Globalstar stated in its application to launch its second-generation constellation, “the ongoing degradation of the first-generation constellation caused by the S-band subsystem antenna anomalies in most of its first-generation satellites has resulted in Globalstar’s inability at certain times of the day, to provide voice and duplex data services throughout its coverage area.” *See Modification Application of Globalstar Licensee LLC*, File No. File No. SAT-MOD-20080904-00165, at 14 (filed Sep. 4, 2008) (stating also that “Globalstar’s cash flow has dropped significantly since its S-band service began to deteriorate about 18 months ago because few customers are using the voice service”); *see also Globalstar ATC Order*, ¶ 15.

<sup>33</sup> *See, e.g., Globalstar, Inc. SEC Form 10-Q at 27* (filed Nov. 6, 2009); *Globalstar, Inc. SEC Form 10-Q at 23* (filed Aug. 11, 2008).

emergency alert button, which sends a message to the GEOS Emergency Response Center in Houston, Texas that then contacts the appropriate local search and rescue organization, has led to many concerns about this product.<sup>34</sup> As such, instead of efficiently using all of its spectrum, Globalstar has only been using a portion of its spectrum to deliver this one way data service that is of limited, and perhaps questionable, utility.<sup>35</sup>

In contrast, the combination of highly efficient networks and advanced wireless devices has made U.S. terrestrial wireless providers among the most spectrally efficient users in the world. U.S. terrestrial carriers serve more consumers, with less spectrum, and for more minutes of use than any other country. With access to just 409.5 MHz of spectrum (which includes AWS and 700 MHz spectrum, much of which is not yet deployed, as well as 55.5 MHz of 2.5 GHz BRS spectrum), the U.S. wireless industry serves well over 270 million subscribers – more than 660,000 consumers per megahertz of spectrum.<sup>36</sup> And these 660,000 customers (per megahertz) also use their service at a much higher rate than our foreign counterparts.<sup>37</sup>

CTIA urges the Commission to deny the extension request, recapture the spectrum

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<sup>34</sup> *The Use and Misuse of the SPOT Satellite Messenger*, Squidoo, at <http://www.squidoo.com/spot-satellite-messenger-misuse> (highlighting several stories where rescuers responded – at great effort and expense – to hikers that had misused the emergency alert button and were not in danger) (last visited Dec. 23, 2009).

<sup>35</sup> The search term “Globalstar problems” identifies multiple links that document the questionable utility of this service. *See, e.g.*, <http://www.satellitoday.com/blog/?p=23> (last visited Dec. 24, 2009).

<sup>36</sup> Comments of CTIA – The Wireless Association®, GN Dockets Nos. 09-151, 09-51 at 21 (filed Sep. 30, 2009) (CTIA Comments); *see also Ex Parte* Communication from Christopher Guttman-McCabe, CTIA—The Wireless Association, to Julius Genachowski, Chairman, and Michael J. Copps, Robert M. McDowell, Mignon Clyburn, and Meredith Attwell Baker, Commissioners, Federal Communications Commission, GN Docket No. 09-51 at 16 (filed Sept. 29, 2009) (“U.S. carrier efficiency far surpasses that of other carriers in the OECD’s top ten countries by GDP.”).

<sup>37</sup> CTIA Comments at 21.

allocated to Globalstar and allow the competitive marketplace access to this valuable spectrum. Through these efforts, the Commission can faithfully meet the requirements of Section 309(j) of the Communications Act and bolster its stated goals to ensure that ATC authority does not undermine satellite services. CTIA therefore urges the Commission to reallocate this spectrum for terrestrial wireless broadband services rather than once again bending the rules to subsidize a failing satellite system.<sup>38</sup>

#### **IV. CONCLUSION.**

For the foregoing reasons, the Commission should reject Globalstar's request for an extension of time and/or grant CTIA's pending Petition for Reconsideration.

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<sup>38</sup> On December 21, 2009, Globalstar filed an application seeking to amend its second-generation application to reflect its decision to seek registration of its satellites through the Republic of France rather than through the United States. Globalstar Licensee LLC, GUSA Licensee LLC, and GCL Licensee LLC, *Application for Modification of Nongeostationary Mobile Satellite Service System License (S2115) To Launch a Second-Generation System, Application for Modification of Mobile Satellite Servicer Earth Station Licenses and Mobile Earth Terminal Licenses To Authorize Communications with Second-Generation System and To Incorporate Previously-Granted Ancillary Terrestrial Component Authority*, File No. SAT-MOD-20080904-00165 (filed Dec. 21, 2009).

Respectfully submitted,

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Dated: December 24, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that on December 24, 2009, I caused a true and correct copy of the foregoing to be served by first-class mail and electronic mail, unless noted otherwise, on the following:

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