

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

EOS Defense Systems USA, Inc., Request )  
for Authority to Modify the Audacy )  
Network to: (i) Add New Service Links )     SAT-MOD-20200526-00057  
in the 17.7-18.6 GHz, 18.8-20.2 GHz and )  
27.5-30 GHz bands and (ii) Provide )  
Enhanced Feeder Link Service in the )  
19.7-20.2 GHz and 29.5-30.0 GHz bands; )  
Request for Waiver of Section 25.146(b) )  
of the Commission's rules

### **PETITION TO DENY IN PART**

Iridium Constellation LLC (“Iridium”), pursuant to 47 C.F.R. § 25.154, hereby petitions to deny in part the above-captioned application (“Application”) filed by EOS Defense Systems USA, Inc. (“EOS”), because EOS’ proposal to use certain frequencies for service links conflicts with the Commission’s band plan.

#### **Discussion**

In its Application, EOS seeks to modify the license for its non-geostationary satellite orbit (“NGSO”) Fixed-Satellite Service (“FSS”) Ka-band system. Among other things, EOS requests authority to add service links in the 18.8-20.2 GHz and 27.5-30.0 GHz bands.<sup>1</sup> These bands include the 19.4-19.6 GHz and 29.1-29.3 GHz sub-bands used by Iridium for feeder links.

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<sup>1</sup> Application, Legal Narrative at 3; Technical Narrative at 1-4 (Table 1).

Iridium operates a constellation of 66 NGSO mobile satellite service (“MSS”) space stations in low earth orbit. Because of the unique capabilities of the Iridium network, commercial, military, and civilian government users depend on Iridium for mission-critical communications needs. In addition to supporting the missions of the Department of Defense, Iridium supports the core commercial operations of large and economically significant industrial sectors, and a diverse set of civilian public safety functions, including the efforts of our first responders. In February 2019, Iridium completed the replacement of its first-generation satellites with the Iridium® NEXT satellite constellation, which supports higher data speeds for new products and services.

Every user communication on the Iridium satellite system is routed through a gateway earth station. Iridium’s gateways operate on feeder link frequencies in the 19.4-19.6 GHz and 29.1-29.3 GHz bands.

The Commission’s band plan limits NGSO use of the 19.4-19.6 GHz and 29.1-29.3 GHz bands to MSS feeder links.<sup>2</sup> EOS’ proposal to use these bands for NGSO FSS service links instead conflicts with both elements of this requirement. EOS would be operating service links, not feeder links, and the links would be in support of an FSS system, not an MSS system.

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<sup>2</sup> See Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters, 32 FCC Rcd 7809, Appendix B (Sept. 27, 2017).

In light of these conflicts with the Commission's band plan, EOS' proposal to use the 29.1-29.3 GHz and 19.4-19.6 GHz bands is facially deficient, and that portion of EOS' Application should be denied.

Respectfully submitted,  
**IRIDIUM CONSTELLATION LLC**

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Its Attorney

August 31, 2020

**DECLARATION OF MAUREEN C. MCLAUGHLIN**

1. I am Vice President Public Policy for Iridium Constellation LLC.
2. I have reviewed the foregoing Petition to Deny. All statements of fact made therein are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

By: */s/Maureen C. McLaughlin*  
Maureen C. McLaughlin

Date: August 31, 2020

## CERTIFICATE OF SERVICE

I hereby certify that on this 31<sup>st</sup> day of August, 2020, a copy of the foregoing Petition to Deny in Part of Iridium Constellation LLC was sent via first class mail to the following:

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*/s/ Michael Lehmkuhl*

Michael Lehmkuhl