

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

EOS Defense Systems USA, Inc.,)	
)	
Request for Authority to Modify the)	SAT-MOD-20200526-00057
Audacy Network to: (i) Add New)	
Service Links 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)	

REPLY TO OPPOSITION

On August 31, 2020, Iridium Constellation LLC (“Iridium”), petitioned the Commission to deny in part the above-captioned application (“Application”) filed by EOS Defense Systems USA, Inc. (“EOS”), because the Application proposed the use of certain frequencies for service links that conflict with the Commission’s band plan. On September 10, 2020, EOS filed a “Consolidated Opposition and Response” (the “EOS Opposition”) in which it stated it would either withdraw this proposal or demonstrate its proposed non-conforming use would not interfere with incumbent NGSO operations.

EOS has neither withdrawn its proposal nor made an interference showing. Accordingly, that portion of EOS’ Application remains facially deficient and should be denied.

Discussion

In the Application, EOS requests, among other things, authority to add service links in the 18.8-20.2 GHz and 27.5-30.0 GHz bands.¹ These bands include the 19.4-19.6 GHz and 29.1-29.3 GHz sub-bands used by Iridium for Mobile Satellite Service (“MSS”) feeder links. As Iridium explained in its Petition to Deny, the Commission’s band plan limits non-geostationary satellite orbit (“NGSO”) use of the 19.4-19.6 GHz and 29.1-29.3 GHz bands to MSS feeder links.² EOS’ proposal to use these bands for NGSO Fixed-Satellite Service (“FSS”) service links conflicts with both elements of this requirement: EOS would operate service links, not feeder links, in the bands and the links would be in support of an FSS system, not an MSS system.

In response, EOS suggests it might “amend and seek to remove these frequencies from the Application.”³ Alternatively, EOS states it might “take appropriate steps to demonstrate that its proposed use of these sub-bands protects incumbent NGSO systems whose operations conform to the current FCC Rules, which would necessitate both preventing interference into these systems and accepting interference from them.”⁴

If, in fact, EOS *does* withdraw its proposal to use the 29.1-29.3 GHz and 19.4-19.6 GHz bands for FSS service links, Iridium would have no objection to grant of the Application. At present, however, the Application has not been amended to remove

¹ Application, Legal Narrative at 3; Technical Narrative at 1-4 (Table 1).

² 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).

³ *Id.*

⁴ EOS Opposition at 3.

those frequencies and EOS has made no interference showing. In its current form, therefore, the Application's proposed non-conforming use of the 29.1-29.3 GHz and 19.4-19.6 GHz bands remains in direct conflict with the Commission's band plan and is facially deficient.

Respectfully submitted,
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September 22, 2020

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of September, 2020, a copy of the foregoing Reply to Opposition was sent via first class mail to the following:

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/s/ Michael Lehmkuhl

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