



17th January 2009

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Ms Dortch,

RE: Globalstar Licensee LLC and GUSA Licensee LLC – Request for Waiver and Request for Special Temporary Authority SAT-STA-20081215-00231

Pivotel Group Pty Limited ("Pivotel") strongly urges the Federal Communications Commission ("FCC") to grant the above-referenced Request for Waiver and Request for Special Temporary Authority filed by Globalstar Licensee LLC ("Globalstar") on 15th December, 2008.

Pivotel is the operator licensed by the Australian regulator being the Australia Communications and Media Authority ("ACMA") to operate the Globalstar mobile satellite service. Pivotel provides Globalstar services in Australia and its surrounding territories, and supports retail Globalstar services in New Zealand under a local resale arrangement with Telecom New Zealand Limited.

Pivotel owns and operates three Globalstar earth stations in Australia, being the earth stations located at Dubbo, New South Wales; Mt Isa, Queensland; and Meekatharra, Western Australia. Globalstar services were first launched in the Australian market in March 2000 by Vodafone Australia Limited ("Vodafone"). Pivotel subsequently bought the Globalstar business and related assets as a going concern from Vodafone, and has itself been providing Globalstar services since January 2003. Pivotel has approximately 15,000 customers.

Pivotel understands that in November 2007 the FCC issued a Second Order on Reconsideration and Second Report and Order in IB Docket No. 02-364 (FCC 07-194) that revised the U.S. Big LEO band plan to prohibit Code Division Multiple Access ("CDMA") operations in the spectrum between 1618.725 and 1621.35 MHz.

Pivotel also understands that in October 2008, the FCC issued an Order of Modifications (FCC 08-248) modifying Globalstar's space station license to correspond to the revised U.S. band plan, and in doing so decided that Globalstar would also be prohibited from operating on this spectrum in countries outside the United States, even though the spectrum is allocated in such countries (including Australia and New Zealand) for CDMA operations under the authority of the local regulators.

Pivotel understands that the Order of Modifications indicated that the FCC would entertain a request for waiver of its rules to allow Globalstar to continue to operate in certain countries on the spectrum above 1618.725 MHz if requiring Globalstar to cease operations in those countries on the affected spectrum would impose undue costs on Globalstar, its independent gateway operators, or their customers. It is Pivotel's view that Globalstar has made a strong showing of the need to continue its operations in this spectrum in a number of countries outside the United States, including in Australia and New Zealand. We request strongly that its Request for Waiver should be granted by the FCC.

A failure by the FCC to grant Globalstar's Request for Waiver would significantly compromise Pivotel's ability to continue to provide reliable services to its customers and to continue to grow its business. Because of the technical design of Globalstar's system architecture, Globalstar must assign channels 5, 6, and 8 of its channel plan for operations from the Meekatharra Gateway (channels 5-6 being used for simplex services, channel 8 for access and duplex traffic). Under apparatus licences granted for radiocommunications spectrum by the ACMA, Pivotel has a positive obligation to avoid interference with various radio astronomy sites. The need for frequency coordination between Pivotel's three overlapping Globalstar earth stations, and the need to avoid interference to radioastronomy sites creates limitations on Pivotel's use of spectrum which would be severely exacerbated by a reduction in that available spectrum.

In order to maintain its current Australian and New Zealand operations and to provide for growth of its business, Pivotel must make very significant capital investments in upgrading its earth stations to support Globalstar's second-generation systems. Once Globalstar's second-generation system becomes operational, to properly serve our customers and to generate a reasonable return on investment, we will need to assign Globalstar's channel 9 to the Meekatharra earth station.

As a result, if Globalstar's Request for Waiver is not granted and Globalstar is prohibited from transmitting from its satellites on the spectrum between 1618.725 and 1621.35 in the areas served by the Meekatharra gateway (which corresponds approximately to Globalstar channels 7, 8, and 9) then Globalstar will be unable to provide sufficient channel capacity to Pivotel's customers. Pivotel will then lack access to sufficient spectrum to continue to provide the services it is currently providing, let alone to add customers and expand its service offerings once Globalstar's second-generation satellite system is deployed.

Allowing Globalstar to continue to operate in Australia on the spectrum above 1618.725 MHz will not cause interference with the Iridium system, because the ACMA has not issued apparatus licences for TDMA MSS operations below 1621.35 MHz. The New Zealand Ministry of Economic Development operates a class licensing scheme for L-band called the General User Radio Licence for Satellite Services (GURL). This licence already provides for shared use of spectrum for MSS operations between 1610 and 1660.5 MHz.

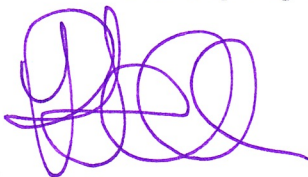
Whilst Pivotel's primary concern is to protect its current and future operations in Australia and New Zealand, Pivotel understands that if the FCC does not authorize Globalstar's continued operations in the spectrum between 1618.725 and 1621.35, the constraints of Globalstar's system architecture and the likely regulatory constraints imposed in other countries will lead to similar spectrum shortages in a number of other countries and regions in which Globalstar provides service. As Globalstar is a global system and international roaming access is provided between the local Globalstar operations of various countries, this decision would indirectly adversely affect Pivotel and its customers by adversely affecting outbound international roaming services.

Pivotel accordingly strongly urges the FCC to promptly grant Globalstar's Request for Waiver to permit it to continue to provide service to the areas covered by the Meekatharra earth station using the spectrum between 1618.725 and 1621.35. Failure by the FCC to grant Globalstar's Request for Waiver would unfairly and unjustifiably harm Pivotel, its employees, and its customers in the region.

Should you wish to discuss this matter further, I can be contacted on +61 414 207 050 or by email to robert.sakker@pivotel.com.au.

Yours sincerely

Pivotel Group Pty Limited ABN 85 102 274 322



Robert Sakker
Executive Director