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July 19, 2010

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

Re: Globalstar Licensee LLC - Call Sign S2115
GUSA Licensee LLC - Call Sign E970381
File No. SAT-STA-20081215-00231

Dear Ms. Dortch:

This letter is being filed on behalf of Globalstar Licensee LLC and GUSA Licensee LLC (collectively “Globalstar”) in connection with its request for a waiver of the Commission’s frequency assignments and special temporary authority to use the spectrum between 1618.725 and 1621.35 MHz from three Globalstar gateway earth stations located in Russia.^{1/} As set forth below, Globalstar has arrived at a solution that will enable it to continue service in Russia without use of the affected spectrum as of September 15, 2010, albeit with some negative effects on service to the public in the affected region. As a result, Globalstar’s waiver request will become moot at that time, and it hereby withdraws that request.

Globalstar’s request for a waiver arose from the Commission’s October 15, 2008, Order modifying Globalstar’s L-band spectrum assignment to remove its authority to operate its U.S.-licensed space stations in the spectrum between 1618.725-1621.35 MHz, which encompasses channels 8 and 9 of the nine CDMA channels originally assigned to Globalstar, and reassigning that spectrum to Iridium.^{2/} In the *Modification Order*, the Commission recognized that

^{1/} See Globalstar Licensee LLC and GUSA Licensee LLC - Request for Waiver and Request for Special Temporary Authority, File No. SAT-STA-20081215-00231 (filed Dec. 15, 2008) (“Globalstar Request”). Globalstar’s original request also sought waivers in connection with five other gateways but, as Globalstar has notified the Commission, it subsequently was able to modify its operations to vacate the relevant spectrum at those gateways. See *Opposition of Globalstar Licensee LLC*, File No. SAT-STA-20081215-00231, at 6 (filed Feb. 2, 2009) (France and Brazil); Letter from William F. Adler to Marlene Dortch (filed Aug. 17, 2009) (Turkey and Australia).

^{2/} See Order of Modifications, FCC 08-248 (rel. Oct. 15, 2008) (“*Modification Order*”). On November 14, 2008, Globalstar filed a petition for reconsideration of the *Modification Order* to

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“requiring Globalstar to terminate transmissions in certain parts of the world on frequencies in which it has existing operating agreements may impose undue costs on both Globalstar and the countries accessing the Globalstar space stations.”^{3/} Accordingly, the Commission stated in the *Modification Order* that it would “entertain a waiver or modification of the limitation on space station frequencies below 1618.725 MHz.”^{4/}

As Globalstar explained in its waiver request, it faced two obstacles in ceasing operations on the spectrum between 1618.725-1621.35 MHz with respect to its three Russian gateways. First, the State Frequency Committee of the Russian Federation has authorized the independent gateway operator, Globalstar-Space Telecommunications (“GlobalTel”), to use only the spectrum between 1616 and 1621.35 MHz (which corresponds to Globalstar’s L-band channels 6–9), and the Order thus would leave Globalstar with only two channels. Second, the design of Globalstar’s system requires Globalstar to use different frequencies for access channels at geographically adjacent gateways, and the location of the three Russian gateways requires the use of three full channels to meet current and future service demands. As a result, Globalstar faced the possibility that ceasing to operate in the spectrum would require it to shut down service to many of its more than 38,000 customers in Russia and adjacent areas, including Afghanistan, where Globalstar serves American troops.

At the same time, Globalstar recognizes its obligation to comply with FCC Orders and has continued to diligently explore potential solutions with the understanding that no “perfect” solution would be possible given the technical, regulatory, and operational complexities inherent in operating a satellite system. After much work, a solution was made possible in May 2010, when Globalstar completed the acquisition of operations and a gateway in Korea and obtained a license to operate. Up until that point, Globalstar was unsure of the frequencies that the Korean regulatory agency would license to Globalstar. This acquisition allowed Globalstar to create a frequency reuse plan throughout the Central Asia region. The effect of this revision was to reduce (though not eliminate) the interference that would result by moving Globalstar’s traffic at the Russian gateways exclusively to channels 6 and 7. After the acquisition, Globalstar developed and ran simulation models to confirm for itself and its independent gateway partner in Russia, Globaltel, that the degradation in service, while significant and potentially harmful,

the extent that it prohibits Globalstar from using the subject spectrum outside the U.S. *See* Petition for Reconsideration of Globalstar Licensee LLC and GUSA Licensee LLC (filed Nov. 14, 2008). That petition remains pending.

^{3/} *Modification Order* at ¶ 41.

^{4/} *Id.*

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would not be profound, at least on a temporary basis until Globalstar deploys its second-generation ground system infrastructure, when it may need additional channels.

As a result of these efforts, Globalstar has developed a plan that will enable it to come into conformity with the Commission's *Modification Order* in the absence of a waiver. To be clear, this plan will result in degraded service quality and interference in connection with service provided throughout the Central Asia region. And it will significantly constrain Globalstar's capacity, particularly as Globalstar deploys additional simplex services, continues to expand its duplex customer base, and deploys its second-generation satellite constellation. Nevertheless, Globalstar is in the process of making the technical modifications to its gateways and operations in Russia and adjacent service areas that will implement this plan and enable it to provide service without the use of channels 8 and 9. In addition, in order to mitigate the harmful consequences of vacating the affected spectrum, Globalstar will also file, with the support of Globaltel, a formal application to the State Frequency Committee of the Russian Federation for authority to operate in the spectrum below 1616 MHz (where it is already authorized to operate under its U.S. licenses).

Globalstar expects to complete the necessary modifications by no later than September 15. As a result, as of that date, Globalstar will be in full compliance with the Commission's *Modification Order*, and its request for a waiver will be moot. Globalstar therefore withdraws its waiver request. Globalstar further respectfully requests that its pending request for an STA be modified to permit it to continue to operate between 1618.725-1621.35 MHz at its Russian gateways until September 15 to complete the steps needed to vacate the spectrum.

Should there be any questions concerning this submission, please contact the undersigned.

Respectfully submitted,

/s/ Samir C. Jain

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Counsel to Globalstar Licensee LLC
and GUSA Licensee LLC

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