

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

In the Matter of)	
)	
Inmarsat Mobile Networks, Inc.)	File Nos. SES-LIC-20120426-00397,
)	SES-AMD-20120823-00781, and
Application to Operate a Fixed-Satellite)	SES-AMD-20150114-00008
Service Gateway Earth Station Facility in)	
Lino Lakes, Minnesota with the)	Call Sign: E120072
Inmarsat-5 F2 Space Station)	

PETITION FOR RECONSIDERATION OR CLARIFICATION

In its *Order*¹ in the above-captioned proceeding, the International Bureau (“Bureau”) granted the application (“Application”) of Inmarsat Mobile Networks, Inc. (“Inmarsat”). The Application requested: (1) a license to operate a Fixed-Satellite Service (“FSS”) gateway earth station in Lino Lakes, Minnesota, to communicate with the Inmarsat-5 F2 geostationary satellite orbit (“GSO”) FSS space station at 55° W.L.; and (2) U.S. market access for Inmarsat-5 F2. Iridium Satellite LLC (“Iridium”), by its attorneys and pursuant to Section 1.106 of the Commission’s rules, hereby requests reconsideration or clarification of two aspects of the *Order*.

¹ *Order and Authorization and Declaratory Ruling*, DA 15-392, released March 30, 2015 (“*Order*”).

I. Introduction and Summary

Iridium previously raised concerns about the potential for Inmarsat's Lino Lakes transmissions to interfere with Iridium's non-geostationary satellite orbit ("NGSO") mobile satellite service ("MSS") feeder links in the 29.1-29.25 GHz band.² In the *Order*, the Bureau required that Inmarsat not cause harmful interference to NGSO MSS feeder links, and not claim interference protection from NGSO MSS feeder links, in this band.³

Iridium asks that the Bureau either clarify or determine on reconsideration that these requirements apply both to MSS feeder links that already are licensed and to MSS feeder links that may be licensed in the future. Iridium also asks that the Bureau either clarify or determine on reconsideration that Inmarsat's inability to claim interference protection from NGSO MSS feeder links in the 29.1-29.25 GHz band applies to the receivers on Inmarsat-5 F2, which is where Inmarsat's 29.1-29.25 GHz band transmissions from Lino Lakes will be received.

II. Inmarsat Should Not Be Permitted to Cause Harmful Interference to, or to Claim Interference Protection From, Future Iridium Feeder Links.

As stated in the *Order*, in the United States NGSO MSS feeder links and LMDS stations are co-primary in the 29.1-29.25 GHz band and there is no GSO FSS designation in the band.⁴ Accordingly, Inmarsat's feeder links between its Lino Lakes earth station and Inmarsat-5 F2 are a non-conforming use.

² See Petition to Deny of Iridium, filed Sept. 28, 2012, in the above-captioned proceeding.

³ See *Order* at ¶ 17.

⁴ *Id.* at ¶14.

In light of Inmarsat's non-conforming status, the *Order* imposed the restrictions summarized above relating to 29.1-29.25 GHz band stations that have primary status.

Condition e of the ordering clauses, states as follows:

Inmarsat's operations in the 29.1-29.25 GHz band shall be on a non-interference basis to MSS feeder link and LMDS operations. Inmarsat must cease operations in the event of any interference into LMDS or MSS feeder link operations. In addition, Inmarsat may not claim interference protection from LMDS or MSS feeder link operations in this frequency band.⁵

In the *Order*, the Bureau recognized there could be issues relating both to Iridium's existing feeder link earth stations and its future feeder link earth stations. As to existing feeder link earth stations, the Bureau considered interference to be unlikely given the geographic separation between Inmarsat's Lino Lakes earth station and Iridium's gateway earth stations.⁶ It nevertheless stated that "Inmarsat must cease operations in the event of any interference into LMDS or MSS feeder link operations ... [and] may not claim interference protection from LMDS or MSS feeder link operations in this frequency band."⁷

As to future Iridium feeder link earth stations, the Bureau recognized that GSO FSS stations can have a preclusive effect. It stated that "widespread deployment of GSO FSS earth stations transmitting in the band 29.1-29.25 GHz ... may not be compatible with the deployment of new Iridium earth stations or LMDS stations."⁸ The ordering

⁵ *Order* at ¶41.

⁶ *See Order* at ¶ 17.

⁷ *Id.*

⁸ *Order* at ¶ 17.

clauses in the *Order*, however, did not make explicit reference to new Iridium feeder link earth stations. Iridium therefore seeks reconsideration or clarification on this point.

The preclusive effect language the Bureau used suggests it intends to protect future Iridium feeder link earth stations, and basic allocation principles dictate this result. Non-conforming uses must not cause harmful interference to primary stations and must accept interference from primary stations. That is true in the case of already-licensed primary stations and it is also true in the case of future primary stations.

If Inmarsat's non-conforming Lino Lakes operations in the 29.1-29.25 GHz band could cause harmful interference to future Iridium feeder link earth stations or did not have to accept interference from future Iridium feeder link earth stations, then the Lino Lakes earth station's status vis-à-vis Iridium's future feeder link earth stations would be elevated from non-conforming to co-primary. That outcome would be inconsistent with the Commission's band plan and with the principles underlying the *Order*.

The authority granted to Inmarsat should not be permitted to have a preclusive effect on Iridium's use of the band for the primary purposes for which it has been designated. A non-conforming use should not constrain the future development and deployment of Iridium NGSO MSS feeder link earth stations that operate in the 29.1-29.25 GHz band on a primary basis.

III. The Receivers on Inmarsat-5 F2 Should Have to Accept Interference From Iridium's NGSO MSS Feeder Links.

As stated above, the *Order* both granted Inmarsat's earth station application and provided U.S. market access for Inmarsat-5 F2. The requirement in the *Order* that Inmarsat not claim interference protection from NGSO MSS feeder links is relevant to the grant of U.S. market access, because the receivers on Inmarsat-5 F2 are where the 29.1- 29.25 GHz band feeder link transmissions from Inmarsat's Lino Lakes earth stations will be received. The "do not claim interference protection" requirement, therefore, should apply to the receivers on Inmarsat-5 F2.

Conclusion

Accordingly, and for the reasons stated above, the Bureau should either clarify or determine on reconsideration that the interference-related restrictions on Inmarsat's operations in the 29.1-29.25 GHz band apply to future Iridium feeder link earth stations.

The Bureau also should either clarify or determine on reconsideration that Inmarsat's inability to claim interference protection from NGSO MSS feeder links in the 29.1-29.25 GHz band applies to the receivers on Inmarsat-5 F2.

Respectfully submitted,

IRIDIUM SATELLITE LLC

By: /s/ Joseph A. Godles
Joseph A. Godles
GOLDBERG, GODLES, WIENER
& WRIGHT LLP
1229 19th Street, N.W.
Washington, D.C. 20036

April 29, 2015

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PETITION FOR RECONSIDERATION OR CLARIFICATION** was sent electronically this 29th day of April, 2015, to each of the following:

Inmarsat Hawaii Inc.
Chris Murphy
Chris_murphy@inmarsat.com

Latham & Watkins
John P. Janka
john.janka@lw.com

Latham & Watkins
Elizabeth R. Park
Elizabeth.park@lw.com

Globe Wireless LLC
David B. Kagan
President & CEO
David.Kagan@globewireless.com

Chris Gray
Vice President of Marketing and
Business Development
Chris.Gray@globewireless.com

Gogo LLC
William J. Gordon
Vice President, Regulatory Affairs
Bgordon@gogoair.com

American Airlines
Robert A. Wirick
Managing Director, Regulatory and International Affairs
Robert.Wirick@aa.com
Will Ris
Will.Ris@aa.com

Honeywell
Chris Benich
Vice President, Aerospace Regulatory Affairs
Chris.Benich@honeywell.com

Encompass Digital Media, Inc.
Chris Weissinger
cweissinger@encompass-m.com

VT iDirect, Inc.
Kevin Steen
VP Corporate Development
Ksteen@idirect.net
Cynthia Harty
Vice President of Contracts
charty@idirect.net

Skyware Global
Gopi Sundaram
Vice President, Product Strategy
GopiSundaram@skywareglobal.com

The Boeing Company
Audrey L. Allison
Director, Frequency Management Services
Audrey.Allison@boeing.com

And Its Attorneys,

Bruce A. Olcott
Jones Day
bolcott@jonesday.com

TracStar Systems Inc., dba Cobham SATCOM Mike
Gregg
Mike.Gregg@cobham.com

ARINC Incorporated
John C. Smith
Vice President-Law, Secretary and
General Counsel
JSmith@arinc.com

And Its Attorneys,

Edward A. Yorkgitis, Jr.
Kelley Drye & Warren LLP
CYorkgitis@KellyDrye.com

/s/ Deborah Wiggins
Deborah Wiggins