

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

In the Matter of)
)
MEDIA NETWORKS SERVICES USA INC.) File No. SES-LIC-20130219-00188
)
Application for Earth Station License)

PETITION TO DISMISS OF IRIDIUM SATELLITE LLC

Iridium Satellite LLC (“Iridium”) hereby petitions to dismiss the above-captioned application (“Application”) filed by Media Networks Services USA Inc. (“Media Networks”).

In its Application, Media Networks seeks a license for a transmit/receive satellite earth station that would communicate with geostationary satellite orbit (“GSO”) fixed-satellite service (“FSS”) satellites. This petition focuses on three of the bands that Media Networks proposes to use: 19.4 -19.6 GHz, 29.1-29.25 GHz, and 29.25-29.3 GHz.

The first two of these bands (19.4-19.6 GHz and 29.1-29.25 GHz) are designated on a primary basis for mobile satellite service (“MSS”) feeder links and non-geostationary satellite orbit (“NGSO”) MSS feeder links, respectively. Use of either of these bands for GSO FSS operations would be a non-conforming use requiring a waiver of the Commission’s rules, and Media Networks has not requested a waiver. The third band (29.25-29.3 GHz) cannot be used by GSO FSS earth stations unless one of two showings is made. Media Networks has not made either showing. Accordingly, Media Networks’ Application should be dismissed as incomplete.

DISCUSSION

I. INTEREST OF IRIDIUM

Iridium operates a constellation of 66 non-geostationary satellite orbit (“NGSO”) mobile satellite service (“MSS”) space stations in low earth orbit. Through its satellite constellation, which is the largest in the world, Iridium is able to deliver communication services to first responders, public safety personnel, the U.S. Department of Defense, border security officers, the aviation industry, and the energy sector in addition to providing essential backup communications across urban and rural areas alike.

Most user communication on the Iridium satellite system is routed through a gateway earth station. Iridium’s gateways operate on feeder links in the 29.1 -29.3 GHz and 19.4-19.6 GHz bands, both of which Media Networks proposes to use. Iridium also employs these bands for the TT&C links it uses to receive telemetry from its space stations and to control and command its space stations. Accordingly, Iridium is an interested party in this proceeding.

II. MEDIA NETWORK DID NOT REQUEST A WAIVER OF THE COMMISSION'S RULES FOR ITS PROPOSED NON-CONFORMING USE IN THE 19.4-19.6 GHz and 29.1-29.25 GHz BANDS.

The Commission's rules make no provision for GSO FSS operations in the 19.4-19.6 GHz and 29.1-29.25 GHz bands. The 19.4-19.6 GHz band is limited to MSS feeder links.¹ The 29.1-29.25 GHz band is shared between LMDS stations and NGSO MSS feeder links.² Media Networks' proposed GSO FSS operations in these bands, therefore, would be a non-conforming use.

A non-conforming use requires a waiver of the Commission's rules. Because Media Networks did not request such a waiver, its Application is defective on its face.

III. MEDIA NETWORK DID NOT MAKE THE SHOWING REQUIRED OF APPLICANTS FOR GSO FSS EARTH STATIONS IN THE 29.25-29.3 GHz BAND.

The 29.25-29.3 GHz band is shared between NGSO MSS feeder links and GSO FSS earth stations.³ Under Section 25.203(k) of the Commission's rules, an applicant for a GSO FSS earth station in the 29.25-29.3 GHz band must show that either: (1) the earth station will not cause unacceptable interference to NGSO MSS feeder links; or (2) the earth station's operations have been coordinated with NGSO MSS space station licensees. Media Networks seeks authority to use the 29.25-29.3 GHz band, but it has not made either showing.

¹ See 47 C.F.R. § 2.106, footnote NG166 and 47 C.F.R. § 25.202(a)(1), footnote 8.

² See 47 C.F.R. § 25.257; *In the Matter of Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services*, 11 FCC Rcd 19005, 19033, ¶ 70 (1996).

³ See 47 C.F.R. § 25.258(a).

First, Media Networks did not, and could not, show compliance with a coordination agreement concerning Iridium's NGSO MSS feeder links. The parties have not entered into a coordination agreement, and Media Networks has not even attempted to coordinate its proposed earth station with Iridium.

Second, Media Networks has not shown that it can avoid causing unacceptable interference to Iridium's NGSO MSS feeder links. In fact, Media Networks' above-captioned Application makes no mention of Section 25.203(k) and is silent as to whether unacceptable interference will occur.

For this reason as well, Media Networks' Application is facially defective.

CONCLUSION

In view of the forgoing, Media Networks' Application is incomplete and defective on its face, and it should be dismissed.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PETITION TO DISMISS OF IRIDIUM SATELLITE LLC** was sent by first class mail, postage prepaid, this 19th day of April, 2013, to each of the following:

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