

NO REQUIREMENT FOR WAIVER FOR OPERATIONS AT 7025-7055 MHz

GUSA Licensee LLC (together with its parent, Globalstar, Inc., “Globalstar”) does not require any waiver in conjunction with the instant application for new earth station authority. In particular, Globalstar does not require a waiver to receive a satellite signal in the 7025-7055 MHz band segment at the proposed Clifton, Texas site. In the Commission’s 2002 allocation order for non-geostationary (“NGSO”) mobile satellite service (“MSS”) feeder links, Globalstar was granted approval to construct and operate earth stations at 7025-7055 MHz within 300 meters of grandfathered locations in Clifton and at its Puerto Rico gateway location. *Amendment of Parts 2, 25 and 97 of the Commission's Rules with Regard to the Mobile-Satellite Service Above 1 GHz*, Report and Order, 17 FCC Rcd 2658, ¶¶ 39-42 (2002). In that order, the Commission adopted Section 2.106, Footnote NG172, which states the following:

In the band 7025-7075 MHz, the fixed-satellite service (space-to-Earth) is allocated on a primary basis, but the use of this allocation shall be limited to two grandfathered satellite systems. Associated earth stations located within 300 meters of the following locations shall be grandfathered: (1) in the band 7025-7075 MHz, Brewster, Washington (48° 08’ 46.7” N, 119° 42’ 8.0” W), and (2) in the band 7025-7075 MHz, *Clifton, Texas* (31° 47’ 58.5” N, 97° 36’ 46.7” W), and Finca Pascual, Puerto Rico (17° 58’ 41.8” N, 67° 8’ 12.6” W). (Emphasis added.)