

June 20, 2006

Via Hand Delivery

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

**Re: Pending Applications to Operate with an Uncoordinated Inmarsat Satellite
File Numbers Attached as Exhibit A**

Dear Ms. Dortch:

In the applications referenced in Exhibit A, various entities have applied for earth station licenses to operate with an uncoordinated Inmarsat satellite. These entities have applied to provide both earlier generation services as well as new Broadband Global Area Network (“BGAN”) services with the uncoordinated satellite. As Mobile Satellite Ventures Subsidiary LLC (“MSV”), the United States L band licensee, has explained in these proceedings, operations with this uncoordinated satellite present a significant risk of interference to customers of all L band operators for three main reasons.¹

First, Inmarsat’s current use of loaned spectrum is blocking MSV’s operations today, and grant of the referenced applications authorizing Inmarsat operations on the loaned spectrum would do the same.²

Second, Inmarsat’s new satellite and new services have different technical characteristics from those Inmarsat has coordinated previously; the new satellite and services have not been coordinated; and the uncoordinated operation of the satellite and services will likely result in harmful interference.

¹ See, e.g., Mobile Satellite Ventures Subsidiary LLC, Petition to Hold in Abeyance, File No. SES-LFS-20060303-00343, File No. SES-AMD-20060316-00448 (Call Sign E060076) (April 14, 2006).

² The Bureau has defined “loaned” L band frequencies as “those bandwidth segments that were loaned to Inmarsat by MSV and [Mobile Satellite Ventures (Canada) Inc.], either as part of the Revised 1999 Spectrum Sharing Arrangement (October 4, 1999), or later as bilateral arrangements between Inmarsat and MSV and Inmarsat and MSV Canada.” See, e.g., *Telenor STA Grant*, File No. SES-STA-20060118-00055 et al (January 18, 2006), at ¶ 3.

Third, Inmarsat claims the right to operate using any L band frequency it chooses without any explanation as to how it will avoid interference to other L-band operators that use the same frequencies.

Accordingly, MSV hereby requests that the International Bureau impose the following conditions on any grant of the referenced applications.

Condition 1. The licensees are not authorized to operate on L band frequencies that were loaned to Inmarsat by MSV or MSV Canada.

Inmarsat's continued use of loaned frequencies that have been coordinated for use by MSV and MSV Canada hinders the operations of MSV and MSV Canada today as well as impedes implementation of their next-generation integrated satellite-terrestrial systems. In granting Special Temporary Authority ("STA") to operate BGAN terminals with the new uncoordinated Inmarsat 4F2 satellite, the International Bureau did not authorize the use of loaned frequencies.³ Consistent with this precedent, MSV urges the Commission to attach the same condition to all earth stations licensed to operate with Inmarsat satellites.

Condition 2. Operators of L-band satellites serving the United States should make best efforts to coordinate access to L band spectrum in a manner that maximizes the potential for offering broadband services, including rebanding into minimum 5 MHz assigned band segments for each satellite system.⁴ The FCC reserves the right to revisit this issue if sufficient progress is not being made.

Under the current spectrum sharing arrangement in the L band, spectrum is divided among the five L band operators in largely non-contiguous slivers which do not support broadband air interfaces. Consistent with the spectrum management goals of the President and the Commission, the above condition will require operators to use L band spectrum more efficiently and effectively by coordinating the assignment of contiguous and wider frequency blocks and by reducing the need for multiple guard bands. Both the President and the Commission have identified efficient spectrum as a key spectrum management objective.⁵ The

³ See, e.g., Stratos Communications, Inc., Request for Special Temporary Authority, File No. SES-STA-20060310-00419 (filed March 10, 2006; granted with conditions on May 12, 2006).

⁴ The licensee should be required to submit a report every 120 days describing progress, including specified dates for achieving rebanding.

⁵ See *Presidential Memorandum on Spectrum Policy for the 21st Century*, 69 Fed. Reg. 1568 (January 6, 2004), at §2(b) (listing as one of the President's spectrum management goals to "facilitate policy changes to create incentives for more efficient and beneficial use of spectrum"); *FCC, Strategic Plan: 2006-2011* (September 30, 2005) (identifying the promotion of efficient spectrum use as one of the Commission's six general goals for the next five years; stating that "efficient and effective use of non-federal spectrum domestically and internationally promotes

Commission has recognized that assignment of contiguous frequency blocks will increase spectrum efficiency and, therefore, benefit the public.⁶ Moreover, assigned band segments of a minimum of 5 MHz will enable L band MSS operators to support common broadband air interfaces, thereby fulfilling the goals of the President and the Commission to promote broadband to all Americans in an expeditious manner.⁷ In addition to the benefits of broadband for consumers and the economy, the Commission has also recognized that broadband will provide significant benefits to public safety and emergency response providers.⁸ MSV stands ready to work with Inmarsat to achieve more efficient use of L band spectrum to promote use of broadband technologies.

Footnote continued from previous page

the growth and rapid deployment of innovative and efficient communications technologies and services”).

⁶ See generally *Improving Public Safety Communications in the 800 MHz Band, Report and Order*, 19 FCC Rcd 14969 (August 6, 2004); *Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems, Third Report and Order, Third Notice of Proposed Rule Making, and Second Memorandum Opinion and Order*, 18 FCC Rcd 2223, ¶ 68 (2003); *Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum Below 3 GHz, Second Report and Order*, 17 FCC Rcd 23193, ¶ 16 (November 15, 2002) (“The record also identifies general benefits of large contiguous blocks of harmonized spectrum, including economies of scale in equipment development and quicker deployment of advanced services.”).

⁷ See White House, *A New Generation of American Innovation* (April 2004) (“The President has called for universal, affordable access for broadband technology by the year 2007 and wants to make sure we give Americans plenty of technology choices when it comes to purchasing broadband. Broadband technology will enhance our Nation’s economic competitiveness and will help improve education and health care for all Americans.”) (available at http://www.whitehouse.gov/infocus/technology/economic_policy200404/toc.html); *FCC, Strategic Plan: 2006-2011* (September 30, 2005) (identifying the promotion of broadband as one of the Commission’s six general goals for the next five years).

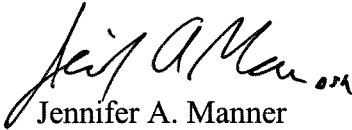
⁸ *Report to Congress On the Study to Assess Short-Term and Long-Term Needs for Allocations of Additional Portions of the Electromagnetic Spectrum for Federal, State and Local Emergency Response Providers*, 14 FCC Rcd 7772, ¶ 26 (December 19, 2005) (“Emergency response providers would benefit from the development of an integrated, interoperable nationwide network capable of delivering broadband services throughout the country. A network that delivers real-time, high speed, highly secure broadband data to emergency response providers in the field would improve their ability to respond to emergencies.”).

Condition 3. Until Inmarsat has completed coordination of any uncoordinated satellite with all L band operators serving the United States, any FCC grant of authority for Inmarsat operations should be on a non-interference, unprotected basis with respect to MSV's previously coordinated satellites and replacement satellites.

Unless and until Inmarsat coordinates its satellites with MSV and MSV Canada, Inmarsat must be required to operate on a non-interference and unprotected basis. Such a condition is consistent with Commission precedent granting applications to operate with uncoordinated satellites, including Inmarsat's satellites.⁹

Please contact the undersigned with any questions.

Very truly yours,


Jennifer A. Manner

⁹ See *COMSAT Corporation et. al., Memorandum Opinion, Order and Authorization*, 16 FCC Rcd 21661, ¶ 115(d) (2001) (“*COMSAT Order*”).

Exhibit A

Pending Applications to Provide Earlier Generation Services with Inmarsat 4F2

Applicant	File Number
Stratos Communications Inc.	SES-MFS-20051122-01614 (Call Sign E000180) SES-MFS-20051122-01615 (Call Sign E010050) SES-MFS-20051122-01616 (Call Sign E010048) SES-MFS-20051122-01617 (Call Sign E010049) SES-MFS-20051122-01618 (Call Sign E010047)
Telenor Satellite, Inc.	SES-MFS-20051123-01626 (Call Sign KA312) SES-MFS-20051123-01627 (Call Sign KA313) SES-MFS-20051123-01629 (Call Sign WA28) SES-MFS-20051123-01630 (Call Sign WB36) SES-MFS-20060118-00050 (Call Sign E000280) SES-MFS-20060118-00051 (Call Sign E000282) SES-MFS-20060118-00052 (Call Sign E000283) SES-MFS-20060118-00053 (Call Sign E000285) SES-LIC-20060130-00175 (Call Sign E060025)
SkyWave Mobile Communications Corp.	SES-MFS-20051207-01709 (Call Sign E030055)
Satamatics, Inc.	SES-MFS-20051202-01665 (Call Sign E020074)

Pending Applications to Provide BGAN Services with Inmarsat 4F2

Applicant	File Number
Stratos Communications Inc.	SES-LFS-20050826-01175 (Call Sign E050249) SES-AMD-20050922-01313 (Call Sign E050249) SES-AMD-20051117-01590 (Call Sign E050249)
Telenor Satellite, Inc.	SES-LFS-20050930-01352 (Call Sign E050276) SES-AMD-20051111-01564 (Call Sign E050276) SES-AMD-20060109-00019 (Call Sign E050276) SES-AMD-20060607-00942 (Call Sign E050276)
FTMSC US, LLC	SES-LFS-20051011-01396 (Call Sign E050284) SES-AMD-20051118-01602 (Call Sign E050284) SES-AMD-20060605-00926 (Call Sign E050284)
MVS USA, Inc.	SES-LFS-20051123-01634 (Call Sign E050348) SES-AMD-20060329-00540 (Call Sign E050348)
BT Americas Inc.	SES-LFS-20060303-00343 (Call Sign E060076) SES-AMD-20060316-00448 (Call Sign E050284)
Thrane and Thrane	SES-LFS-20060522-00852 (Call Sign E060179)

CERTIFICATE OF SERVICE

I, Sylvia A. Davis, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 20th day of June 2006, served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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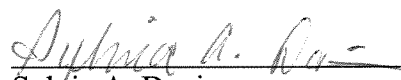
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