

Inmarsat Hawaii Inc.
FCC Form 312
Exhibit E
Response to Question 43

Inmarsat Hawaii Inc. (“Inmarsat Hawaii”) seeks to modify its existing blanket authority to operate mobile earth terminals (“METs”) in the United States to access satellites on the ISAT List.¹ More specifically, Inmarsat Hawaii is seeking to modify that license to add an additional MET type, the Inmarsat IsatPhone Pro (“IsatPhone”). As discussed below, the IsatPhone complies with all applicable Commission technical requirements.

A. Global Satellite Phone Service and the IsatPhone

IsatPhone is the first handset to be purpose-built for the Inmarsat network, and will be the first product in Inmarsat’s family of Global Satellite Phone Services (“GSPS”). GSPS will be a highly competitive offering in terms of hardware costs, airtime rates, and service quality, with a strong combination of form and functionality that Inmarsat believes will change the landscape in the provision of the mobile satellite services. GSPS service will be available on a global basis over Inmarsat-4 satellites.

IsatPhone has been optimized to deliver the best performance over Inmarsat’s advanced mobile satellite network, and will support satellite telephony, including circuit-switched voice, SMS, fax, data, and supplementary services. IsatPhone will also support voicemail, text and email messaging and Bluetooth devices for hands-free use. Location data will also be available to the user to look up or send in a text message.

B. Radiation Hazard Studies

Inmarsat is in the process of obtaining equipment authorizations to market IsatPhone in the United States, consistent with the requirements of Part 2 of the Commission’s rules. Section 1.1307(b) of the Commission’s rules provides that RF radiation compliance statements “may be omitted from license applications for transceivers subject to the certification requirement in § 25.129 [of the rules],”² which applies to earth station transceivers meant to be used “within 20 centimeters of the operator’s body when the transceiver is in operation.”³

The earth station transceivers for which authority is sought in this application are handheld units that will be used within 20 centimeters of the operator’s body. Accordingly, the transceivers are subject to the provisions cited above, and information demonstrating that the transceivers comply with the Commission’s RF radiation limits will be furnished as part

¹ See IBFS File No. SES-LIC-20090217-00184 (Call Sign E090032). Currently pending before the Commission is an application for the *pro forma* assignment of the license for Call Sign E090032 from Inmarsat Hawaii to ISAT US Inc., a Delaware corporation and wholly-owned subsidiary of Inmarsat U.S. Holdings, Inc. If that assignment application is granted while the instant application remains pending, the parties will amend the instant application as appropriate.

² 47 C.F.R. § 1.1307(b).

³ 47 C.F.R. § 25.129(c).

of the Part 2 certification process for the IsatPhone. Inmarsat Hawaii hopes to complete that certification process in May 2010.

C. Compliance with Out of Band and Spurious Emissions Lists

The level of out-of-band and spurious emissions from the IsatPhone conforms to the Commission's rules.⁴ Specifically, in order to receive Inmarsat type approval, the IsatPhone has been designed to operate in conformance with Inmarsat's established standards, which include limitations on out-of-band and spurious emissions that are designed to meet, at a minimum, the Commission's specifications.

D. Compliance with GMDSS and AMS(R)S Priority and Preemption Requirements

The application for the existing license for Call Sign E090032 demonstrated that Inmarsat Hawaii's authorized operations would comply with the Commission's requirements for ensuring the priority and real-time preemption necessary to protect the GMDSS and AMS(R)S.⁵ That showing remains equally applicable to the IsatPhone. Specifically, through frequency management, operations of the IsatPhone will comply with these requirements in the same manner.

E. Type Certification

The Commission has adopted rules and policies pertaining to portable Global Mobile Personal Communications by Satellite ("GMPCS") transceivers, which are satellite telephones and other portable transceivers operated by end users for communication by satellites.⁶ In particular, the Commission requires "portable" GMPCS transceivers imported, sold, leased, shipped, or distributed after November 19, 2004 to be certified pursuant to the Commission's equipment certification procedures. As discussed above, Inmarsat is in the process of completing the Part 2 certification process for the IsatPhone, and hope to have that process completed in May 2010.

F. Request to Adopt Condition

Pursuant to the provisions of the agreement between Inmarsat on the one hand and the U.S. Department of Justice and the Department of Homeland Security on the other, dated September 23, 2008, as amended (the "Agreement"), any FCC authorizations granted to Inmarsat must be conditioned on compliance with the terms of the Agreement. The existing license for Call Sign E090032 contains the following condition:

⁴ See 47 C.F.R. §§ 25.202(f), 25.216.

⁵ See IBFS File No. SES-LIC-20090217-00184 at Exh. E. See also 47 C.F.R. § 2.106, n.US315; 47 C.F.R. § 25.136(d) (GMDSS); 47 C.F.R. § 2.106 n.US308; *In re Application of AMSC Subsidiary Corporation*, 10 FCC Rcd 9507, 9511 (IB 1995) (AMS(R)S).

⁶ See *Amendment of Parts 2 and 25 to Implement the Global Mobile Personal Communications by Satellite (GMPCS) Memorandum of Understanding and Arrangements*, Second Report and Order, 18 FCC Rcd 24423 (2003) ("GMPCS Order").

This authorization and any licenses related thereto are subject to compliance with the provisions of the Agreement between Inmarsat on the one hand and the U.S. Department of Justice (DOJ) and the Department of Homeland Security (DHS) on the other, dated September 23, 2008.

Inmarsat Hawaii requests that the Commission continue this condition in any modified license.

G. Public Interest Showing

Grant of this application will allow Inmarsat Hawaii to provide mobile satellite service (“MSS”) to, from and within the U.S. with handheld terminals. This will facilitate more robust competition with other MSS providers. Further, grant of this application will speed the provision of service to end users by allowing existing and new distribution partners to provide Inmarsat service under the aegis of Inmarsat Hawaii’s license without the delay associated with obtaining duplicative licenses.⁷ Accordingly, grant of this application is in the public interest.

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For the foregoing reasons, Inmarsat Hawaii respectfully requests that this application be granted.

⁷ See 47 C.F.R. § 25.136(c). Some of Inmarsat Hawaii’s distribution partners may seek their own licenses.