

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	
)	
Stratos Communications, Inc.)	File No. SES-STA-20060310-00419 (Call Sign E050249)
)	
Telenor Satellite, Inc.)	File No. SES-STA-20060313-00430 (Call Sign E050276)
)	
FTMSC US LLC)	File No. SES-STA-20060314-00438 (Call Sign E050284)
)	
BT Americas, Inc.)	File No. SES-STA-20060315-00445 (Call Sign E060076)
)	
MVS USA Inc.)	File No. SES-STA-20060316-00454 (Call Sign E050348)

CONSOLIDATED REPLY OF MOBILE SATELLITE VENTURES SUBSIDIARY LLC

Mobile Satellite Ventures Subsidiary LLC (“MSV”) hereby files this Reply to the Consolidated Joint Opposition and separate Stratos Opposition to MSV’s Consolidated Petition to Deny the above-referenced applications for Special Temporary Authority (“STA”) to operate 25,000 Broadband Global Area Network (“BGAN”) terminals using an Inmarsat satellite, Inmarsat 4F2 at 52.75°W, for which coordination is not complete.¹ The Applicants do nothing to resolve the fatal flaws with their STA requests: (i) the Applicants seek STAs solely based on marketing considerations; (ii) the delay that allegedly justifies grant of the STAs has been created and perpetuated by Inmarsat; and (iii) the proposed operations will cause harmful interference to the vital services MSV is already providing today to public safety organizations, including important federal, state, and local agencies in areas vulnerable to hurricanes.

The Applicants claim that STAs are warranted because the underlying applications for permanent authority to operate BGAN terminals have been pending in some cases for several

¹ See Consolidated Joint Opposition of Stratos Communications, Inc., Telenor Satellite, Inc., FTMSC US LLC, BT Americas, Inc., MVS USA Inc., and Inmarsat Ventures Limited (collectively, the “Applicants”), File No. SES-STA-20060310-00419 et at (April 6, 2006) (“*Consolidated Joint Opposition*”); Opposition of Stratos Communications, Inc., File No. SES-STA-20060310-00419 (Call Sign E050249) (April 7, 2006).

months. *Consolidated Joint Opposition* at 3-4. This delay, however, is a circumstance of Inmarsat's own making.² Inmarsat is an experienced operator of satellites throughout the world. Inmarsat knows well its obligation to coordinate its new satellite and services with other L band operators. But, despite having many years to do so, Inmarsat has failed to coordinate the Inmarsat 4F2 and its BGAN service with the North American L band operators. Only Inmarsat – and neither the Commission nor MSV -- is to blame for Inmarsat's failure to coordinate its new satellite and services.³

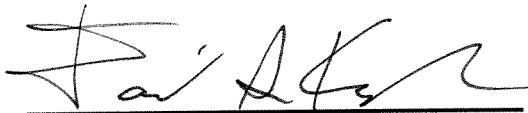
There is simply no technical basis for the Applicants' assertion that BGAN service can be provided within the "same technical envelope" that Inmarsat allegedly coordinated previously with MSV. *Consolidated Joint Opposition* at 3. The Inmarsat 4F2 satellite is unlike any MSS satellite that has ever operated over North America. In addition to using certain loaned frequencies which rightfully belong to MSV, the satellite uses wider bandwidth carriers, transmits a higher aggregate EIRP, and uses a greater number of co-channel reuse beams than any satellite Inmarsat has operated previously. The result is that, without prior coordination between Inmarsat and MSV, the Inmarsat 4F2 satellite will cause harmful interference to users

² The Bureau has specifically stated that an applicant must demonstrate that an STA is necessary "due to circumstances beyond its control." *See Public Notice*, DA 87-1311 (September 25, 1987).

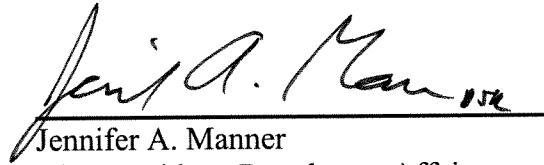
³ The Applicants disingenuously assert that the Bureau has held that an STA is justified any time an application has been pending for longer than sixty days. *Consolidated Joint Opposition* at 3-4. The sixty-day time frame the Applicants cite refers only to "routinely grantable earth station" applications. *See Public Notice*, DA 87-1311 (September 25, 1987). The pending BGAN applications are far from "routinely grantable" given the harmful interference and international coordination issues raised. Moreover, the pending BGAN applications are the first applications to seek access to the foreign-licensed Inmarsat 4F2 satellite in the United States. As such, these applications are more than routine earth station applications because they present the Bureau with its first opportunity to consider the technical and policy issues presented by the operation of Inmarsat's new satellite in the United States. *See Amendment of the Commission's Regulatory Policies To Allow Non-U.S.-Licensed Space Stations To Provide Domestic and International Satellite Service in the United States, Report and Order*, IB Docket No. 96-111, 12 FCC Rcd 24094 (1997) ("*DISCO II*"), at ¶¶ 189-190.

that rely on MSV's services.⁴ While Stratos claims that some federal agencies have expressed an interest in using BGAN terminals, many of these same federal agencies currently rely on MSV's services and will suffer interference if Inmarsat is permitted to provide BGAN service prior to a coordination agreement.⁵ In fact, grant of the BGAN STAs will come at the expense of the substantial numbers of federal, state, and local public safety users that currently rely on MSV's critical services, including in areas that are impacted by hurricanes. MSV urges the Bureau to protect the existing and reliable services MSV currently provides to public safety users by denying the above-referenced STA requests, rather than sacrificing these critical services for the sake of Inmarsat's business plans.

Respectfully submitted,



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⁴ The Applicants cite cases for the unremarkable proposition that the Bureau does not require international coordination as a prerequisite to authorization of new satellites and services. *Joint Consolidated Opposition* at 5 n.20. The Bureau does so only when there is a reasonable basis to conclude that harmful interference will not occur in the absence of international coordination. Conversely, the Bureau will not authorize uncoordinated satellites or services when there is evidence that harmful interference might occur, as in the case of Inmarsat 4F2. See Letter from Thomas S. Tycz, FCC, to Joseph A. Godles, Counsel for PanAmSat, File No. SAT-STA-19980902-00057 (September 15, 1998); *Loral Orion Services, Inc., Order and Authorization*, DA 99-2222, 14 FCC Rcd 17665, ¶ 10 (October 18, 1999); *BT North America Inc., Order*, DA 00-162, 15 FCC Rcd 15602 (February 1, 2000).

⁵ MSV respects the privacy interests of its customers and understands its obligation to protect their confidential information. 47 U.S.C. § 222.

CERTIFICATE OF SERVICE

I, Sylvia A. Davis, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 11th day of April 2006, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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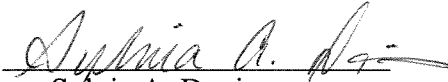
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