

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

COPY

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)

**PETITION FOR CLARIFICATION**

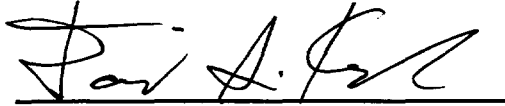
Mobile Satellite Ventures Subsidiary LLC (“MSV”), pursuant to Section 1.106 of the Commission’s rules, 47 C.F.R. § 1.106, hereby files this Petition for Clarification of the International Bureau’s (“Bureau”) May 12, 2006 decision granting the above-referenced requests for Special Temporary Authority (“STA”) to operate Broadband Global Area Network (“BGAN”) terminals using an uncoordinated Inmarsat satellite, Inmarsat 4F2 at 52.75°W. The Bureau’s decision contains a number of very important and appropriate conditions that are essential to help mitigate the harmful interference that will result to customers of other L band Mobile Satellite Service (“MSS”) operators once Inmarsat begins its uncoordinated BGAN operations. On May 26, 2006, prior to the deadline for filing Petitions for Clarification or Reconsideration of the decisions granting the BGAN STAs,<sup>1</sup> MSV filed the attached letter asking that the Bureau clarify certain of these conditions to improve their effectiveness. *See Exhibit A.* MSV hereby requests that the Bureau treat the attached letter and the clarifications requested therein as a Petition for Clarification of the Bureau’s decisions granting the above-referenced

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<sup>1</sup> The deadline for filing Petitions for Clarification or Reconsideration of the grant of the BGAN STAs is today, June 12, 2006. *See* 47 C.F.R. § 1.106(f).

STA requests. 47 C.F.R. § 1.106. A copy of this Petition has been served on the parties to the above-referenced proceedings. *Id.*

Respectfully submitted,



Bruce D. Jacobs  
David S. Konczal  
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Jennifer A. Manner  
Vice President, Regulatory Affairs  
**MOBILE SATELLITE VENTURES  
SUBSIDIARY LLC**  
10802 Parkridge Boulevard  
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(703) 390-2700

Dated: June 12, 2006

**Exhibit A**



**RECEIPT COPY**

Jennifer A. Manner  
Vice President, Regulatory Affairs

PHONE: 703 390-2730  
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EMAIL: jmanner@msvlp.com

May 26, 2006

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

**RECEIVED**

**MAY 26 2006**

Federal Communications Commission  
Office of Secretary

**Re: Mobile Satellite Ventures LP**  
***Ex Parte* Presentation**  
**File No. SES-STA-20060310-00419 (Call Sign E050249)**  
**File No. SES-STA-20060313-00430 (Call Sign E050276)**  
**File No. SES-STA-20060314-00438 (Call Sign E050284)**  
**File No. SES-STA-20060315-00445 (Call Sign E060076)**  
**File No. SES-STA-20060316-00454 (Call Sign E050348)**

Dear Ms. Dortch:

The May 12, 2006 decisions granting the above-captioned requests for Special Temporary Authority ("STA") to operate Broadband Global Area Network ("BGAN") terminals using an uncoordinated Inmarsat satellite, Inmarsat 4F2 at 52.75°W, contain a number of very important and appropriate conditions that are essential to help mitigate the harmful interference that will result to customers of other L band Mobile Satellite Service ("MSS") operators once Inmarsat begins its uncoordinated BGAN operations. Mobile Satellite Ventures Subsidiary LLC ("MSV") requests that the International Bureau clarify certain of these conditions to improve their effectiveness.

**Condition 1.** The May 12<sup>th</sup> decisions require the "downlink EIRP densities" at any geographical point within the United States to not exceed the levels previously authorized in connection with operations of the Inmarsat 3F4 satellite. As it did in limiting the aggregate uplink EIRP density, the Bureau should specify that the downlink EIRP limit is an aggregate limit. The Bureau should also clarify that the aggregate uplink and aggregate downlink EIRP density limits specified in Condition 1 apply in the aggregate to all Inmarsat satellites visible over North America. The condition as written appears to address only the emissions contributed by Inmarsat 4F2 to the aggregate emissions from all of Inmarsat satellites operating over North America. At least some of the frequencies used on the Inmarsat 4F2 at 52.75°W, however, are reused by Inmarsat on its other satellites visible over North America, which operate at 15.5°W, 98°W, 142°W, 143°E, and 178°E. The Bureau should make clear that the aggregate uplink and aggregate downlink EIRP densities from all Inmarsat satellites, including Inmarsat 4F2, must not exceed the level that existed before launch of Inmarsat 4F2.

**Conditions 2 and 5.** The May 12<sup>th</sup> decisions impose conditions on Inmarsat's service providers which should apply to Inmarsat as well. In Condition 2, the Bureau specified that BGAN operations are permitted only on a strictly unprotected basis. Because MSV has no means of determining which of the Inmarsat BGAN service providers may be responsible for causing interference to MSV's operations, we urge the Bureau to make clear that upon MSV's notice to Inmarsat of interference, Inmarsat and its service providers are jointly and severally responsible for taking immediate action to rectify any interference. In Condition 5, the Bureau explained that any action taken or expense incurred as a result of operations pursuant to this STA by a BGAN service provider is solely at the service provider's own risk. MSV urges the Bureau to similarly explain that any action taken or expense incurred by Inmarsat as a result of operations pursuant to this STA is solely at its own risk.

**Condition 3.** The May 12<sup>th</sup> decisions prohibit the STA holders from operating on certain disputed frequencies. The STA holders, however, do not have access to the specific frequencies covered by this condition. To ensure that the STA holders comply with this condition, MSV urges the Bureau to require each of the STA holders to submit a certification from Inmarsat declaring that Inmarsat has not and will not assign any unauthorized frequencies for operation of the earth stations covered by the STA.

**Condition 4.** The May 12<sup>th</sup> decisions require "adequate guard bands" to be provided between the band edges of the carriers used by the BGAN service provider and the band edges of MSV's operations to preclude the possibility of unacceptable interference to MSV's operations. Rather than relying on Inmarsat to determine what constitutes an "adequate guard band," the Bureau should specify a guard band of at least 50 kHz between the band edges of the carriers used by the BGAN service provider and the band edges of MSV's coordinated frequencies. This specification is essential because MSV has already suffered interference from Inmarsat's assignment of inadequate guard bands on other Inmarsat wideband carriers. Based on MSV's initial observation of experimental BGAN signals, a guard band of at least 50 kHz is needed to limit interference to MSV's narrowband carriers to the levels accepted under the Operators' Agreements developed pursuant to the *Mexico City MOU*. While MSV may discover during the course of coordination or from operations pursuant to these STAs that a different guard band is required to protect MSV, specification of a 50 kHz minimum guard band now in advance of coordination will reduce the material risk of harmful interference to MSV's customers while still enabling BGAN service. Moreover, because BGAN operations are permitted only on a strictly unprotected basis, the Bureau should also clarify that the 50 MHz guard band must lie entirely within Inmarsat's coordinated frequency assignments and may not lie within the frequencies coordinated for MSV or MSV Canada.

**Conditions 6, 7, and 10.** In Conditions 6, 7, and 10, the May 12<sup>th</sup> decisions explain that grant of the STA (i) is not based on a finding, and is without prejudice to any future determination the Commission may make, that Inmarsat's L band operations are consistent with operation on a non-interference basis, and (ii) is without prejudice to disposition of the pending applications for permanent authority to operate BGAN terminals. Consistent with these conditions, the Bureau should also explain that it expects Inmarsat to diligently conclude coordination of its Inmarsat 4F2 satellite with respect to the current and planned operations of

Ms. Marlene H. Dortch

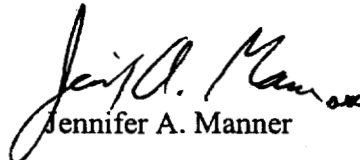
May 26, 2006

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MSV and MSV Canada before it can make a definitive determination that operation of the Inmarsat 4F2 satellite will not result in unacceptable interference and before it can grant the pending applications for permanent authority.

Please contact the undersigned with any questions.

Very truly yours,

  
Jennifer A. Manner

## CERTIFICATE OF SERVICE

I, Sylvia A. Davis, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 26th day of May 2006, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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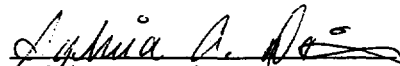
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Sylvia A. Davis

\*By hand delivery



**Technical Certification**

I, Richard O. Evans, Senior Engineer of Mobile Satellite Ventures Subsidiary LLC, certify under penalty of perjury that:

I am the technically qualified person with overall responsibility for the technical information contained in the foregoing. I am familiar with the Commission's rules, and the information contained in the foregoing is true and correct to the best of my knowledge and belief.

  
Richard O. Evans

Dated: June 12, 2006

## CERTIFICATE OF SERVICE

I, Sylvia A. Davis, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 12th day of June 2006, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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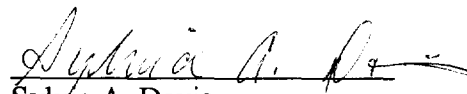
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