

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the matter of)
)
Thrane & Thrane Airtime Ltd.) SES-STA-20060522-00857 (Call Sign E060179)

OPPOSITION OF INMARSAT VENTURES LIMITED

Inmarsat Ventures Limited (“Inmarsat”) opposes the Petition to Deny of Mobile Satellite Ventures Subsidiary LLC (“MSV”) with respect to the application of Thrane & Thrane Airtime Ltd. (“T&T Airtime”) for special temporary authority (“STA”) to provide Inmarsat’s Broadband Global Area Network (“BGAN”) service. For the reasons provided below, the Commission should grant STA without delay.¹

As Inmarsat has fully briefed in prior proceedings, there is no valid technical or policy basis to withhold STA to provide BGAN.² In fact, the Commission granted five earth station operators STA to offer BGAN service to U.S. customers nearly one month ago, and there is no indication that provision of this service has had a negative impact on the L-Band interference environment. Moreover, until Inmarsat and MSV complete a new coordination agreement, Inmarsat has committed to provide BGAN service within the technical envelope previously coordinated with MSV. Similarly, the Commission has required that all BGAN

¹ MSV attaches an *ex parte* presentation that MSV made in other proceedings requesting that the Commission substantially modify the conditions in previously granted BGAN STAs. MSV asks that the Commission take that request into account in granting T&T Airtime’s STA. MSV’s proposed modifications are unwarranted, and Inmarsat will respond to MSV’s specific proposals under separate cover.

² Inmarsat incorporates by reference its oppositions to MSV’s various filings in prior BGAN proceedings. *See* Consolidated Joint Opposition, File Nos. SES-STA-20060310-00419 *et al.* (filed Apr. 6, 2006). *See also* Oppositions of the various applicants and Inmarsat to MSV’s Petitions to Hold in Abeyance in File Nos. SES-LFS-20050826-01175 *et al.* (Stratos), SES-LFS-20050930-01352 *et al.* (Telenor), SES-LFS-20051011-01396 (FTMSC), and SES-LFS-20051123-01634 (MVS).

service over the Inmarsat-4 spacecraft be provided within certain uplink and downlink EIRP limits. Grant of STA to an additional BGAN service provider will have no impact on Inmarsat's commitment or ability to stay within those parameters.

Furthermore, circumstances clearly warrant STA while T&T Airtime's underlying application for "full" authority is pending. Section 309(f) of the Communications Act provides authority to issue temporary authorizations where doing so is in the public interest and where further delay in commencing operations would prejudice the public interest.³ The Commission has long recognized that grant of STA is appropriate (and consistent "with the requirements of the Communications Act which contemplates STAs only in extraordinary situations") in cases, such as this, where the underlying earth station applications are not routinely granted within sixty days.⁴ In the case at hand, all applications for "full" authority to provide BGAN service have faced significant delays – the "lead" BGAN application was filed *over nine months ago* and remains pending.⁵

As a final matter, there are significant public safety considerations that weigh in favor of granting STA. BGAN provides voice and broadband service (at speeds of almost half a megabit per second) to highly portable and easy to deploy "notebook sized" user terminals that are one-third the price, size and weight of those previously available for use on the Inmarsat system. In addition, BGAN can be placed into operation more quickly than any other satellite terminal with comparable capabilities, making BGAN a critical tool for local, state and federal

³ 47 U.S.C. § 309(f).

⁴ *Amendment of Part 25 of the Commission's Rules and Regulations*, 6 FCC Rcd 2806, 2810 ¶ 27 (1991). The provision in 25.120(b)(1), which codified Commission policy not to grant STAs based *solely* on "marketing considerations or meeting scheduled customer in-service dates," is inapplicable when STA is warranted for other reasons, such as extended delay in processing the underlying applications. *See id.*

⁵ Stratos Communications, Inc., File Nos. SES-LFS-20050826-01175 *et al.* (filed Aug. 26, 2005).

first-responders and relief workers in the aftermath of disasters, when terrestrial communications services are unreliable or unavailable.⁶ In order to ensure that T&T Airtime can deploy BGAN terminals in a timely manner, and to provide first responders and relief workers with the benefits that come with having multiple providers of BGAN service, it is imperative that this STA promptly be authorized. Indeed, hurricane season in the Atlantic Ocean region has already begun, and forecasters warn that this year's season will be "very active."⁷ Granting T&T Airtime's STA will ensure that its customers have immediate access to the most up-to-date communications tools when they need access the most.

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For the foregoing reasons, the Commission should grant T&T Airtime STA to provide BGAN service, subject to the same conditions applicable to STAs previously granted to provide BGAN service to the United States.

Respectfully submitted,

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⁶ Contrary to what MSV would have the Commission believe, MSV Petition at 3, higher speeds are only one of many advantages BGAN has over other satellite services.

⁷ Valerie Buerlein and Avery Johnson, *Government Predicts Bad Hurricane Season*, WALL ST. J., at D1, May 23, 2006.

CERTIFICATE OF SERVICE

I, Jeffrey A. Marks, hereby certify that on this 8th day of June, 2006, I caused to be served a true copy of the foregoing "Opposition of Inmarsat Ventures Limited" upon the following:

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