

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

In the matter of)	
)	
Deere & Company)	File No. SES-STA-20060605-00922
Application for Special Temporary Authority to)	
Operate Receive-Only Mobile Earth Stations with)	
Inmarsat 3F4 at 142°W)	
)	
Deere & Company)	File No. 0437-EX-ST-2006
Application for Experimental Special Temporary)	
Authority to Operate Receive-Only Mobile Earth)	
Stations with Inmarsat 3F4 at 142°W)	

RESPONSE OF MOBILE SATELLITE VENTURES SUBSIDIARY LLC

Mobile Satellite Ventures Subsidiary LLC (“MSV”) hereby files this Response to the Reply of Deere & Company (“Deere”) and Inmarsat Ventures Limited (“Inmarsat”) submitted in the above-referenced proceedings.¹ In these proceedings, Deere is seeking Special Temporary Authority (“STA”) from both the International Bureau (“Bureau”) and the Office of Engineering and Technology (“OET”) to test receive-only mobile earth stations with the uncoordinated Inmarsat 3F4 satellite which has recently been relocated to 142°W.²

In its Comments on these applications, MSV did not oppose grant, provided the Bureau and OET make clear that (i) grant should not be construed as a Commission endorsement of Inmarsat’s failure to coordinate the Inmarsat 3F4 satellite at its new location with other L band

¹ See Reply Comments of Deere & Company, File No. SES-STA-20060605-00922 (June 21, 2006) (“*Deere Reply*”); Reply of Inmarsat Ventures Limited, File No. SES-STA-20060605-00922 (June 21, 2006) (“*Inmarsat Reply*”); see also Letter from Deere & Company to Mr. James Burtle, FCC, File No. 0437-EX-ST-2006 (June 23, 2006); Letter from Inmarsat Ventures Ltd. to Mr. James Burtle, FCC, File No. 0437-EX-ST-2006 (June 23, 2006).

² See Deere & Company, Application, File No. SES-STA-20060605-00922 (June 3, 2006) (“*Deere Application*”).

operators; and (ii) Inmarsat must coordinate the Inmarsat 3F4 satellite with other L band operators before Deere can provide commercial service in the United States with this satellite.³

In their Replies, Deere and Inmarsat claim that it would be premature to address commercial service using the Inmarsat 3F4 satellite. *See Deere Reply* at 3; *Inmarsat Reply* at 2 MSV is concerned, however, that any grant of authority to operate with the uncoordinated Inmarsat 3F4 satellite, whether for testing purposes or otherwise, could prejudice the outcome of future applications for authority to operate with this uncoordinated satellite.⁴

Inmarsat argues that the proposed conditions are inappropriate because it claims that completion of coordination is not a condition precedent to issuance of an authorization to provide MSS. *Inmarsat Reply* at 2-3. In fact, the Bureau requires prior coordination unless there is a reasonable basis to conclude that harmful interference will not occur in the absence of international coordination. The Bureau will not authorize uncoordinated satellites or services when there is evidence that harmful interference might occur, as in the case of Inmarsat 3F4 at 142°W.⁵ Inmarsat also claims that the conditions are inconsistent with how the Bureau treated MSV in granting it licenses for its next-generation satellites. *Inmarsat Reply* at 2-3. In those cases, however, no entity claimed that the satellites would cause harmful interference. It was

³ See Comments of Mobile Satellite Ventures Subsidiary LLC, File No. SES-STA-20060605-00922 (June 6, 2006) (“*MSV Comments*”); Letter from MSV to Mr. James Burtle, FCC, File No. 0437-EX-ST-2006 (June 16, 2006).

⁴ In its Reply, Inmarsat incorporates by reference a recent pleading filed in another proceeding. *Inmarsat Reply* at n.1. MSV hereby incorporates by reference its Reply to that pleading. *See Reply of Mobile Satellite Ventures Subsidiary LLC*, File No. SES-MFS-20060118-00050 et al (March 28, 2006) (with Reply of Mobile Satellite Ventures Subsidiary LLC, File No. SES-MFS-20051207-01709 (Call Sign E030055), File No. SES-MFS-20051202-01665 (Call Sign E020074) (February 14, 2006) attached thereto as Exhibit A).

⁵ 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).

thus entirely reasonable for the Bureau to license the satellites in advance of coordination. Conversely, as MSV explained in its Comments, the Inmarsat 3F4 satellite is materially different than the Inmarsat-2 satellite it is allegedly replacing, and is more likely both to cause interference to and to suffer interference from other L band systems relative to the Inmarsat-2 satellite.⁶ In addition, unlike the Inmarsat 3F4 satellite, MSV's next-generation satellite is years away from launch, making it reasonable for the Bureau to conclude that any interference issues will be resolved through coordination prior to actual operation. Moreover, in granting MSV licenses for its next-generation satellites, the Bureau specifically stated that an authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination with other Administrations.⁷

Inmarsat also contends that the proposed conditions are unfair because it allegedly provides MSV with "sole control" over whether Deere can provide services over the Inmarsat 3F4 satellite. *Inmarsat Reply* at 3. MSV, however, has been and continues to be ready and willing to coordinate with Inmarsat. If the parties commit to making a good faith effort to complete a comprehensive regional coordination agreement, MSV's view is that coordination can be completed in a matter of a few months.


⁶ See MSV Comments at 4-5.

⁷ See *Mobile Satellite Ventures Subsidiary LLC, Order and Authorization*, DA 05-1492 (May 23, 2005) ("*MSV-1 Order*"), at ¶ 79; *Mobile Satellite Ventures Subsidiary LLC, Order and Authorization*, DA 05-50 (January 10, 2005) ("*MSV-SA Order*"), at ¶ 58. MSV has since surrendered its license for the MSV-SA satellite.

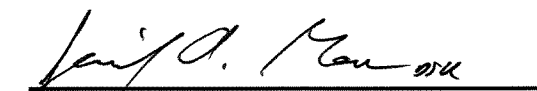
Conclusion

In light of the foregoing, MSV urges the Bureau to act consistently with the views expressed herein.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Sylvia A. Davis of the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 30th day of June 2006, I served a true copy of the foregoing upon the following:

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