

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the matter of                                        )  
  )  
Horizon Mobile                                       ) File No. SES-STA-20070112-00112 (Call Sign E070006)  
Communications, Inc.                               )

**OPPOSITION**

Inmarsat Ventures Limited (“Inmarsat”) opposes the Petition to Deny filed by MSV in this proceeding, in which Horizon Mobile Communications, Inc. (“Horizon”) seeks special temporary authority (“STA”) to provide Broadband Global Area Network (BGAN) service over the Inmarsat-4 satellite at 53° W.L. In its Petition to Deny, MSV raises nothing new, and fails to provide a valid basis not to grant the applications, or for imposing new and unnecessary conditions. For the reasons set forth below, the Commission should grant the STA to allow Horizon to provide BGAN service without further delay.

**I. GRANT OF STA WOULD SERVE THE PUBLIC INTEREST**

As an initial matter, grant of STA is consistent with Commission policy due to the likely delay in processing Horizon’s underlying application for “full” authority to provide BGAN service.<sup>1</sup> In its order adopting the current STA rules, the Commission expressly found that it would consider STA requests “[w]hen an application cannot be routinely granted within sixty days.”<sup>2</sup> In doing so, the Commission specifically explained that its STA policy allows action on

---

<sup>1</sup> *Amendment of Part 25 of the Commission’s Rules and Regulations*, 6 FCC Rcd 2806, 2810, ¶ 27 (1991).

<sup>2</sup> *Id.* at 2810, ¶ 27.

“non-routine applications,” such as this (when action cannot be expected in 60 days).<sup>3</sup> All previous applications for “full” licenses to provide BGAN service have remained pending for more than the time period when routine processing could be expected. It therefore is reasonable for Horizon to anticipate that its own underlying application may be subject to similar delay and to seek STA, as it has done here. This circumstance, on its own, warrants grant of the STA.

STA is further warranted due to the dramatic advancement in MSS communications capabilities that BGAN represents for U.S. local, state and federal government users, relief organizations, and commercial enterprises alike. BGAN provides voice and broadband service at speeds of almost half a megabit per second, and uses highly portable and easily deployed “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 to its advanced capabilities, BGAN also is easier to set up and to use, addressing one of the major concerns related to the deployment of other satellite services in emergency scenarios.<sup>4</sup> After connecting a BGAN terminal to any laptop computer (with a standard USB cable or using a Bluetooth or Wi-Fi connection), mobile users of all types have immediate voice and data connectivity regardless of the state of the terrestrial network. A *single* BGAN terminal with Wi-Fi capability can provide wireless voice and high-speed broadband service to ten users in the vicinity of the terminal.

Moreover, BGAN’s use of IP technology makes possible greater flexibility and operability than ever before. When combined with other information technology advances,

---

<sup>3</sup> *Id.* at 2810, ¶ 27 & n.69.

<sup>4</sup> *See Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, Report and Recommendations to the Federal Communications Commission at 10 (June 12, 2006).

BGAN's small, lightweight terminals provide a highly portable communications link to support both individual first responders and mobile command posts. In addition, because it provides interoperable connectivity with other IP-based technologies, BGAN supports new technology-based solutions that address the pressing problem of first responder interoperability. For example, a BGAN terminal connected to a portable cell phone tower would quickly re-establish communications among first responders over their terrestrial wireless communications devices while the terrestrial network is being restored. Similar solutions have been developed to support remote access to land mobile radios when terrestrial infrastructures are disrupted.

In contrast to the substantial public interest benefits in authorizing provision of BGAN service, MSV has failed to show any countervailing harms to grant of Horizon's application. Most significantly, in the many months in which BGAN service has been provided to the United States by various licensees, there has been no adverse effect on the interference environment. MSV does not dispute this. Thus, the Commission should grant STA without delay.

## **II. ADDITIONAL STA CONDITIONS ARE NOT WARRANTED**

In its Petition to Deny, MSV repeats its requests from earlier proceedings that the Commission impose conditions on Horizon's BGAN STA beyond those applied to current BGAN STAs held by other providers.<sup>5</sup> Specifically, MSV asks the Commission to: (i) adopt conditions sought in MSV's June 12, 2006 Petition for Clarification; (ii) establish a firm expiration date for this STA; (iii) require Horizon to disclose the number of BGAN terminals in use; and (iv) limit BGAN terminal use to only a subset of emergency responders. These requests

---

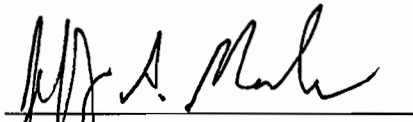
<sup>5</sup> See, e.g., Stratos Communications, Inc., IB File No. SES-STA-20060310-00419 (granted May 12, 2006).

are baseless and should not be granted. Because these issues have been fully briefed,<sup>6</sup> and in the interest of conserving Commission resources, Inmarsat incorporates earlier pleadings by reference for inclusion in the record here.

\* \* \* \* \*

For the reasons discussed above and in earlier pleadings, the Commission should grant Horizon's application without delay, subject only to the conditions pursuant to which other STA-holders currently offer BGAN service.

Respectfully submitted,



John R. Janka  
Jeffrey A. Marks  
LATHAM & WATKINS LLP  
555 Eleventh Street, N.W.  
Suite 1000  
Washington, D.C. 20004  
Telephone: (202) 637-2200

*Counsel for Inmarsat Ventures Limited*

Diane J. Cornell  
Vice President, Government Affairs  
INMARSAT, INC.  
1101 Connecticut Avenue NW  
Suite 1200  
Washington, DC 20036  
Telephone: (202) 248-5155

January 31, 2007

---

<sup>6</sup> See Joint Opposition, File Nos. SES-STA-20060310-00419 *et al.* (filed June 19, 2006) (responding to MSV's June 12, 2006 Petition for Clarification); Joint Letter from Inmarsat *et al.* to Marlene Dortch, File No. SES-LFS-20050826-01175, *et al.* (filed Dec. 6, 2006) (responding to an MSV *ex parte* letter seeking additional conditions on existing STAs); see also Joint Letter from Inmarsat *et al.* to Marlene H. Dortch, FCC, File Nos. SES-MFS-20051122-01614 *et al.* (Jul. 6, 2006) (responding to MSV's request to add three conditions to pending applications to communicate with I-4); Joint Letter from Inmarsat *et al.* to Marlene H. Dortch, FCC, File Nos. SES-MFS-20051122-01614 *et al.* (Jul. 6, 2006) (responding to MSV's letter request that the Commission add conditions to existing authorizations to provide Inmarsat services).

## CERTIFICATE OF SERVICE

I, Jeffrey A. Marks, hereby certify that on this 31st day of January, 2007, I caused to be served a true copy of the foregoing by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

James Ball\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Stephen Duall\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

JoAnn Ekblad\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Richard Engelman\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Gardner Foster\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Howard Griboff\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Fern Jarmulnek\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Andrea Kelly\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Karl Kensinger\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Scott Kotler\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

John Martin\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Robert Nelson\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Roderick Porter\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

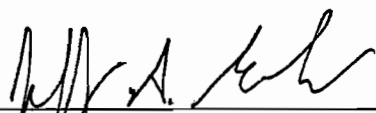
Cassandra Thomas\*  
International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

E. Ashton Johnston  
Lampert & O'Connor, P.C.  
1776 K Street, NW  
Suite 700  
Washington, DC 20006

Jennifer A. Manner  
Vice President, Regulatory Affairs  
Mobile Satellite Ventures Subsidiary LLC  
1002 Park Ridge Boulevard  
Reston, Virginia 20191

Bruce D. Jacobs  
David S. Konczal  
Pillsbury Winthrop Shaw Pittman LLP  
2300 N Street, N.W.  
Washington, DC 20037-1128

*\*Via Electronic Mail*



---

Jeffrey A. Marks