

Summary

The Bureau should deny the request of MVS for a new STA grant to operate BGAN terminals with the uncoordinated Inmarsat 4F2 satellite. MVS's previous STA grant expired one month ago. The Bureau must therefore treat the MVS application as a request for a new STA and assess whether MVS has provided "extraordinary circumstances" justifying a new grant.

MVS cannot demonstrate any extraordinary circumstances. MVS provides no evidence that it actually operated or sold any terminals pursuant to its previous STA grant or that it has a reasonable expectation of operating or selling any terminals in the future (let alone 5000 terminals, as its application requests). The authorization of far more BGAN terminals than needed disserves the public interest by depriving Inmarsat of any incentive to coordinate its satellite. Grant of this STA would not outweigh the harm that will result from the negative impact on the L band coordination process and from permitting satellite operators such as Inmarsat to cause interference to other satellite operators, to bypass the frequency coordination process, and to undermine the Commission's application process.

To the extent the Bureau grants this application despite the negative impact on the L band coordination process, the likelihood of harmful interference, and the lack of extraordinary circumstances, the Bureau should attach certain conditions. First, the Bureau should apply the same conditions it has imposed on other BGAN STA grants, along with the clarifications previously requested. Second, the Bureau should establish a firm expiration date for the STA and provide that no extensions or renewals will be granted without Inmarsat having first completed coordination. To the extent the Bureau does not adopt this second condition, the Bureau should at least (i) require MVS to disclose the aggregate number of BGAN terminals that are in operation using the Inmarsat 4F2 satellite serving the United States and nearby geographic areas; and (ii) limit the BGAN terminals authorized to those issued to "first responders."

Table of Contents

Summary.....	i
Table of Contents	ii
Background	1
Discussion.....	2
I. The Bureau Must Treat the MVS Application as a Request for a New STA.....	2
II. The Bureau Should Deny the MVS Application	3
III.If the Bureau Grants the MVS Application, It Should Attach Certain Conditions	6
A. The Bureau Should Make Clear that the Previous MVS STA Grant Is No Longer Effective	6
B. The Bureau Should Apply the Same Conditions It Imposed on Other BGAN STA Grants, Along with Certain Clarifications	6
C. The Bureau Should Establish a Firm Expiration Date for this STA and Provide that No Extensions or Renewals Will Be Granted Absent Coordination of the Inmarsat 4F2 Satellite	9
Conclusion	12

interference that will likely result both to MSV and to Inmarsat from operation of this satellite and these terminals prior to a coordination agreement. The interference will result from (i) use of Inmarsat 4F2 to operate on the loaned frequencies Inmarsat has refused to return;³ (ii) the technically different parameters of Inmarsat's new satellite and services relative to the satellites and services it has coordinated previously, such as the use of wideband carriers, higher aggregate EIRP, and increase in number of co-channel reuse beams;⁴ and (iii) Inmarsat's claim that it is entitled to operate on each and every frequency in the L band.⁵

Discussion

I. The Bureau Must Treat the MVS Application as a Request for a New STA

While MVS characterizes its application as a request for extension of an existing STA, its previous STA grant in fact expired one month ago.⁶ On May 12, 2006, the Bureau granted MVS an STA to operate 5000 BGAN terminals for a period of 60 days, ending on July 11, 2006.⁷

MVS subsequently filed three extensions requests, each requesting authority to continue operations for only an additional 60-day period, ending on January 7, 2007.⁸ Even assuming that

³ See Mobile Satellite Ventures Subsidiary LLC, Petition to Hold in Abeyance, File No. SES-MFS-20051123-01634 (January 13, 2006) ("*MSV Petition*"), at 11-12; Mobile Satellite Ventures Subsidiary LLC, Reply, File No. SES-MFS-20051123-01634 (February 7, 2006) ("*MSV Reply*"), at 2-7. MSV hereby incorporates by reference these filings in this proceeding regarding the new MVS STA request.

⁴ See *MSV Petition* at 13-17; *MSV Reply* at 7-13.

⁵ See *MSV Petition* at 17; *MSV Reply* at 13-14.

⁶ *MVS New STA Application* at 1 n.1.

⁷ See MVS USA, Inc., Application for STA to Operate BGAN Terminals, File No. SES-STA-20060316-00454 (Call Sign E050348) (authorizing operations from May 12, 2006 to July 11, 2006).

⁸ MVS USA, Inc., Application for First Extension, File No. SES-STA-20060706-01115 (Call Sign E050348) (requesting extension for additional 60 days: July 12, 2006 to September 9, 2006); MVS USA, Inc., Application for Second Extension, File No. SES-STA-20060905-01673 (Call Sign E050348) (requesting extension for additional 60 days: September 10, 2006 to November 8, 2006); MVS USA, Inc., Application for Third Extension, File No. SES-STA-

the Bureau's failure to act on these previous extension requests authorized MVS to operate in accordance with their terms, the Bureau's inaction did not expand the scope of the latest MVS extension request (the *MVS Third Extension Request*) from a 60-day STA request into a 90-day STA request. Indeed, had MVS applied for a 90-day STA, the Bureau would be required to place such an STA request on Public Notice, which it has not done. *See* 47 C.F.R. § 25.120(b). MSV notes that all other BGAN STA holders have continued to file extension requests every sixty days.⁹ Accordingly, given that MVS's previous BGAN STA grant has expired, the Bureau must treat the MVS application as a request for a new STA and assess whether MVS has provided "extraordinary circumstances" justifying a grant.

II. The Bureau Should Deny the MVS Application

There are no "extraordinary circumstances" justifying grant of this STA request.¹⁰ The only justifications provided are "marketing considerations," which the Commission's rules specifically preclude as grounds for granting an STA.¹¹ MVS does not seek a waiver of this rule. In fact, MVS provides nothing to justify its STA request other than marketing considerations, such as permitting foreign users of BGAN terminals to also use those terminals in the United

20061106-01955 (Call Sign E050348) (requesting extension for additional 60 days: November 9, 2006 to January 7, 2007) ("*MVS Third Extension Request*").

⁹ *See, e.g.*, BT Americas, Inc., Application for Fourth BGAN STA Extension, File No. SES-STA-20070102-00003 (Call Sign E060076) (filed January 2, 2007); Stratos Communications Inc., Application for Fourth BGAN STA Extension, File No. SES-STA-20070103-00007 (Call Sign E050249) (filed January 3, 2007); Telenor Satellite Inc., Application for Fourth BGAN STA Extension, File No. SES-STA-20070110-00053 (Call Sign E050276) (filed January 10, 2007); Thrane & Thrane Airtime Ltd., Application for Third BGAN STA Extension, File No. SES-STA-20061219-02199 (filed December 19, 2006); FTMSC US LLC, Application for First BGAN STA Extension, File No. SES-STA-20061218-02196 (filed December 18, 2006).

¹⁰ 47 U.S.C. § 309(f); 47 C.F.R. § 25.120(b)(1).

¹¹ The Commission's rules specifically state that "[c]onvenience to the applicant, such as marketing considerations or meeting scheduled customer in-service dates" is not sufficient to demonstrate "extraordinary circumstances." 47 C.F.R. § 25.120(b)(1).

States.¹² While MVS notes that its application for permanent BGAN authority is pending (*MVS New STA Application* at 3), the Commission’s obligation to determine whether grant of an application serves the “public interest, convenience, and necessity” does not create an “extraordinary circumstance” justifying the grant of an STA. 47 U.S.C. § 309(a), (b). Moreover, the Bureau has specifically stated that an applicant must demonstrate that an STA is necessary “due to circumstances beyond its control.”¹³ Any delay in processing MVS’s application for permanent BGAN authority is a circumstance of its service provider’s own making. 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.

The only public interest claim MVS makes is that BGAN service will permit higher speed MSS than what is currently available.¹⁴ In fact, 25,000 BGAN terminals are already authorized for use in the United States. *See supra* note 9. Any demand for BGAN service that might exist will be easily met by the currently authorized terminals. In fact, while MVS previously held an STA to operate BGAN terminals, it provides no evidence that it actually operated or sold any terminals pursuant to this authority or that it has a reasonable expectation of operating or selling any terminals in the future (let alone 5000 terminals, as its application requests). This is not surprising considering that Inmarsat has revealed that only roughly 5500

¹² *See MVS New STA Application* at 5.

¹³ *See Public Notice*, DA 87-1311 (September 25, 1987).

¹⁴ *See MVS New STA Application* at 3.

BGAN terminals have been activated *worldwide* in the past year.¹⁵ MVS has failed to demonstrate that the 25,000 currently authorized BGAN terminals are insufficient to meet any alleged demand for BGAN service. In addition, the authorization of far more BGAN terminals than Inmarsat and its distributors need for the next several years disservices the public interest by depriving Inmarsat of any incentive to satisfy its obligation to coordinate its Inmarsat 4F2 satellite pursuant to the L band coordination process. Thus, even if higher speed MSS was not available, grant of this STA would not outweigh the harm that will result from the negative impact on the L band coordination process and from permitting satellite operators such as Inmarsat to cause interference to other satellite operators, to bypass the frequency coordination process, and to undermine the Commission's application process.

The Bureau's previous decisions to permit some BGAN terminals, including those previously authorized to MVS, to operate in the United States on a temporary basis do not justify grant of subsequent STA applications for BGAN terminals. The facts in this situation do not justify the grant of this STA; there are no extraordinary circumstance demonstrated. This is especially the case since there is no evidence that MVS served a single customer pursuant to its now-expired STA grant. Further, the Bureau specifically stated that its grant of the previous BGAN STAs was not based on a finding that Inmarsat could operate the uncoordinated Inmarsat 4F2 satellite on a non-interference basis and was without prejudice to any other applications for

¹⁵ See Exhibit C, attaching excerpts from Inmarsat Group Limited's Form 6-K filed with the SEC on November 15, 2006, available at: <http://www.sec.gov/Archives/edgar/data/1291398/000119312506235898/0001193125-06-235898-index.htm>

authority to operate BGAN terminals with Inmarsat 4F2.¹⁶ As such, any reliance on previous BGAN STA grants is misplaced.

III. If the Bureau Grants the MVS Application, It Should Attach Certain Conditions

To the extent the Bureau grants this STA despite the overwhelming evidence demonstrating that it will not serve the public interest and is not otherwise justified, the Bureau should apply the following conditions.

A. The Bureau Should Make Clear that the Previous MVS STA Grant Is No Longer Effective

As an initial matter, the Bureau should make clear that, if this new STA request is granted, MVS is not authorized to operate pursuant to this new STA grant as well as its now-expired STA grant. If this new STA request is granted, the Bureau should make clear to MVS that its now-expired STA grant is terminated.

B. The Bureau Should Apply the Same Conditions It Imposed on Other BGAN STA Grants, Along with Certain Clarifications

To the extent the Bureau grants the new MVS STA application, MSV urges the Bureau to apply the same conditions it has imposed on other applicants for STAs to operate BGAN terminals, along with certain clarifications consistent with MSV's pending Petition for Clarification attached hereto as Exhibit A.¹⁷ These clarifications will reduce the potential for harmful interference to MSV and its customers. These customers include important public safety users equipped with MSV terminals for essential communications during hurricane season,

¹⁶ See, e.g., MVS USA, Inc., Application for STA to Operate BGAN Terminals, File No. SES-STA-20060316-00454 (Call Sign E050348) (filed March 10, 2006; granted with conditions on May 12, 2006), at Conditions 6 and 10.

¹⁷ See Mobile Satellite Ventures Subsidiary LLC, Petition for Clarification, File No. SES-STA-20060310-00419 et al (June 12, 2006) (attached as Exhibit A); Mobile Satellite Ventures Subsidiary LLC, Reply, File No. SES-STA-20060310-00419 et al (June 29, 2006) (attached as Exhibit B).

including terminals that provide interoperable communications for key government agencies in the hurricane region. Indeed, numerous public safety users have filed letters with the Commission expressing concern with potential interference caused by Inmarsat's uncoordinated operations and expressing support for rebanding of L band spectrum into more contiguous frequency blocks, which will reduce the potential for harmful interference and promote efficient use of spectrum.¹⁸

¹⁸ See Letter from Blue Cross and Blue Shield of Florida to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 23, 2006); Letter from Hinds County (MS) Sheriff's Department to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 23, 2006); Letter from Florida Department of Agriculture and Consumer Services to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 24, 2006); Letter from Mississippi Senator Merle Flowers to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 24, 2006); Letter from Bolivar County (MS) Emergency Management Agency to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 24, 2006); Letter from Alliance to Save Florida's Trauma Care to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 24, 2006); Letter from City of Orlando Emergency Management to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 24, 2006); Letter from Community Development Leagues of America, Inc. to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 25, 2006); Letter from Charles Barbour, Supervisor, Hinds County (MS) to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 26, 2006); Letter from Collier (FL) County Government to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (May 26, 2006); Letter from Seminole County (FL) Department of Information Technologies to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (June 8, 2006); Letter from Hernando County (FL) Emergency Management to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (June 12, 2006); Letter from Santa Rosa County (FL) Division of Emergency Management to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (June 15, 2006); Letter from Kenneth W. Stolle, Member, Virginia Senate, to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (July 12, 2006); Letter from David B. Albo, Member, Virginia House of Delegates, to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (July 12, 2006); Letter from L. Scott Lingamfelter, Member, Virginia House of Delegates, to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (July 17, 2006); Letter from Southwest Texas Regional Advisory Council for Trauma to Ms. Marlene H. Dortch, FCC, File No. SES-LFS-20050826-01175 et al (July 17, 2006); Letter from J. Bradley Reynolds, Commissioner Northeast Ward, Nacogdoches, Texas, to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (July 19, 2006); Letter from John W. Jones, Executive Director, Virginia Sheriffs' Association, to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (July 24, 2006); Letter from Commonwealth of Kentucky's Division of Emergency Management to

Moreover, as MSV recently explained in Comments filed on the Commission’s Notice of Proposed Rulemaking (“*NPRM*”) seeking input on the recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (“Katrina Panel”),¹⁹ MSV currently offers the only satellite-based push-to-talk (“PTT”) service in the country today.²⁰ This product allows point-to-point or point-to-multipoint voice communications among users in a customer-defined group using a PTT handset. Using a customer-defined calling group, a public safety user can communicate with one or up to 10,000 users simultaneously. With this technology, all users within the call group receive the same information simultaneously. During emergencies when terrestrial infrastructure is impaired, MSV’s PTT service can be of critical importance in keeping first responders informed. In addition, MSV’s PTT service can be interfaced with existing terrestrial-based public safety radios (“LMRs”) or commercial Enhanced Specialized Mobile Radios (“ESMR”), and thus serve

Ms. Marlene H. Dortch, FCC, File No. SES-LFS-20050826-01175 et al (July 24, 2006); Letter from John M. O’Bannon, III, MD, Delegate, 73rd District, Member, Virginia House of Delegates, to Chairman Kevin J. Martin, FCC, File No. SES-LFS-20050826-01175 et al (July 28, 2006); Letter from Steve McCraw, Homeland Security Director, Office of Texas Governor Rick Perry, to Chairman Kevin J. Martin (August 31, 2006); Letter from John Wood, Cameron County Commissioner, Precinct 2, to Chairman Kevin J. Martin (September 5, 2006); Letter from Sheriff Bob Holder, Comal County (TX) Sheriff’s Office, to Chairman Kevin J. Martin, File No. SES-LFS-20050826-01175 et al (September 22, 2006); Letter from Kendell Poole, Director of Tennessee Governor’s Office of Highway Safety, to Chairman Kevin J. Martin, File No. SES-LFS-20050826-01175 et al (September 25, 2006); Letter from Mike Krusee, Chairman of the Committee on Transportation of the Texas House of Representatives, to Chairman Kevin J. Martin, File No. SES-LFS-20050826-01175 et al (October 19, 2006); Letter from Ron Harris, Collin County (TX) Judge, to Chairman Kevin J. Martin, File No. SES-LFS-20050826-01175 et al (October 30, 2006); Letter from Dr. Daniel D. Canale, Department of Pathology, Baptist Hospital, Nashville, TN, to Chairman Kevin J. Martin, File No. SES-LFS-20050826-01175 et al (November 9, 2006).

¹⁹ See *Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks, Notice of Proposed Rulemaking*, EB Docket No. 06-119, FCC 06-83 (June 16, 2006) (“*NPRM*”).

²⁰ See Comments of Mobile Satellite Ventures Subsidiary LLC, EB Docket No. 06-119 (August 7, 2006).

as a satellite repeater to both technologies. This enables the radios to continue to function even when the terrestrial infrastructure supporting the LMRs or ESMRs is destroyed. It is precisely this type of critical, interoperable public safety service that is being threatened by Inmarsat's continued operation of uncoordinated satellites and services. Clarification of the conditions imposed on current BGAN operations is critical to reduce this threat.

C. The Bureau Should Establish a Firm Expiration Date for this STA and Provide that No Extensions or Renewals Will Be Granted Absent Coordination of the Inmarsat 4F2 Satellite

To the extent the Bureau grants the MVS STA application, the Bureau should establish a firm expiration date for this STA (as well as the other BGAN STAs) and provide that no extensions or renewals will be granted without Inmarsat having first completed coordination of its new satellite with the North American L band operators. If the Bureau continues to grant new or renew or extend existing BGAN STAs without insisting that Inmarsat first complete coordination, there are no reasonable prospects that such coordination will ever be successfully completed. This is especially the case now that Inmarsat has revealed that only roughly 5500 BGAN terminals have been activated *worldwide* in the past year. *See Exhibit C.* At this rate, it will be many years before Inmarsat and its distributors approach the limit of 30,000 BGAN terminals authorized in the United States pursuant to this and other outstanding STAs. Indeed, using Inmarsat's own estimate of 400 new BGAN activations *worldwide* per month, it will be at least *five years* before Inmarsat and its distributors approach this limit.²¹ Of course, given that the vast majority of BGAN terminals are used only outside of the United States, it will in fact take much longer than five years to approach the limit of 30,000 BGAN terminals. As such, Inmarsat and its distributors have already received authority under existing STAs for a sufficient

²¹ *See Inmarsat Ventures Limited et al., Joint Reply, File No. SES-STA-20061027-01898 et al. (November 22, 2006), at 1.*

number of BGAN terminals to last several years. Accordingly, unless the Bureau establishes a firm expiration date for the BGAN STAs, Inmarsat will have no incentive to satisfy its obligation to coordinate its uncoordinated Inmarsat 4F2 satellite.

Recognizing the potential for interference resulting from operation of the uncoordinated Inmarsat 4F2 satellite, Industry Canada has taken a much more limited approach to the temporary authorization of the BGAN service by permitting the operation of only a very limited number of terminals and for only critical operations.²² In so restricting BGAN authority, Industry Canada has explained that “Successful completion of this coordination is essential in order to ensure an interference-free environment for the operation of all valuable satellite services.”²³ Not only will successful coordination mitigate the harmful interference that would otherwise result from operation of Inmarsat’s uncoordinated satellite, this coordination should also facilitate rebanding of L band spectrum into more contiguous frequency blocks that will increase efficient use of L band spectrum and maximize the potential for offering broadband services, which Chairman Martin recently explained is the Commission’s top priority.²⁴

²² See, e.g., Letter from Chantel Beaumieur, Director, Space and International Regulatory Activities, Industry Canada, to Lieutenant-Colonel J.J. F La Boissonnière, Director Information Management Technologies, Products and Services 5, National Defence Headquarters (September 8, 2006) (authorizing the Canadian National Defence Headquarters to operate two BGAN terminals).

²³ *Id.* at 1 (“Canada’s policy for permitting the use of foreign satellites to serve the Canadian market requires that they be successfully coordinated with other satellites through the international coordination process. Successful completion of this coordination is essential in order to ensure an interference-free environment for the operation of all valuable satellite services. At this time, Inmarsat has not completed this coordination for its Inmarsat 4F2 satellite located at the 52.75°W.L. orbital position. . . . Accordingly, until the coordination status of the Inmarsat satellite has changed, Industry Canada will not authorize Canadian service providers to provide Inmarsat’s BGAN service in Canada.”).

²⁴ See Remarks of FCC Chairman Kevin J. Martin, *Imagining the Digital Healthcare Future in the Rural West*, Montana State University – Bozeman (July 7, 2006).

In the event that the Bureau grants this STA without providing that extensions or renewals will not be granted without Inmarsat having first completed coordination of its new satellite, the Bureau should at least take the following actions to help mitigate the risk of interference to the North American L band operators. First, the Bureau should require MVS to disclose the aggregate number of BGAN terminals that are in operation using the Inmarsat 4F2 satellite serving the United States and nearby geographic areas.²⁵ L band operators can use this information to assess the potential aggregate interference to their operations. Since disclosure of only an aggregate number of terminals is required to assess potential interference, there is no need for MVS to provide the number of terminals it has sold or operated individually. Rather, as a condition of this STA, the Bureau should simply require MVS to disclose the aggregate number of BGAN terminals in operation using the Inmarsat 4F2 satellite serving the United States and nearby geographic areas, as reported to it by Inmarsat.²⁶ Second, until coordination is completed, the Bureau should limit the BGAN terminals authorized under this STA to those terminals that are issued to “first responders,”²⁷ based on sworn affidavits provided by MVS

²⁵ The nearby geographic areas include areas where BGAN terminals use the same Inmarsat 4F2 beams that serve the United States.

²⁶ The Bureau took a similar approach in granting STAs to offer earlier-generation services with the uncoordinated Inmarsat 4F2 satellite when it conditioned each grant on the Inmarsat distributor’s submission of a report regarding loaned frequencies which could only be obtained from Inmarsat. *See, e.g., Telenor STA Grant*, File No. SES-STA-20060118-00055 et al (January 18, 2006), at Condition No. 3.

²⁷ The Bureau should define a “first responder” as a unit of the Federal Government or any entity that would qualify to hold a license under Section 90.523 of the Commission’s rules. *See* 47 C.F.R. § 90.523 (providing that State or local government entities and certain nongovernmental organizations that provide services, the sole or principal purpose of which is to protect the safety of life, health, or property, as well as satisfy other criteria, may qualify to hold certain licenses).

supporting its claim. The only plausible “extraordinary circumstance” that can justify grant of this STA is if the terminals authorized here are used exclusively to support first responders.²⁸

Conclusion

MSV urges the Bureau to protect the existing and reliable services MSV currently provides to public safety users by acting consistently with the views expressed herein.

Respectfully submitted,



Bruce D. Jacobs
David S. Konczal
**PILLSBURY WINTHROP
SHAW PITTMAN LLP**
2300 N Street, NW
Washington, DC 20037-1128
(202) 663-8000



Jennifer A. Manner
Vice President, Regulatory Affairs
**MOBILE SATELLITE VENTURES
SUBSIDIARY LLC**
10802 Parkridge Boulevard
Reston, Virginia 20191
(703) 390-2700

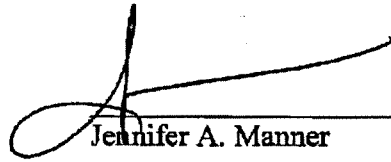
Dated: February 7, 2007

²⁸ See 47 U.S.C. § 309(f); 47 C.F.R. § 25.120(b)(1); Consolidated Joint Opposition, File No. SES-STA-20060310-00419 et al (April 6, 2006), at 4. Indeed, the Commission’s rules specifically state that “[c]onvenience to the applicant, such as marketing considerations or meeting scheduled customer in-service dates, will not be deemed sufficient” for grant of an STA. See 47 C.F.R. § 25.120(b)(1).

Declaration of Jennifer A. Manner

1. I am the Vice President, Regulatory Affairs of Mobile Satellite Ventures Subsidiary LLC.
2. I have read the foregoing Petition to Deny.
3. I have personal knowledge of the facts stated in the Petition to Deny. The facts set forth in the Petition to Deny, other than those of which official notice may be taken, are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.


Jennifer A. Manner

Executed on February 7, 2007

Exhibit A

Mobile Satellite Ventures Subsidiary LLC, Petition for Clarification, File No. SES-STA-20060310-00419 et al (June 12, 2006)

**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)

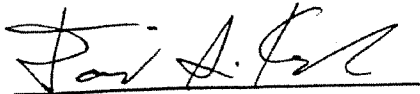
PETITION FOR CLARIFICATION

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,¹ 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

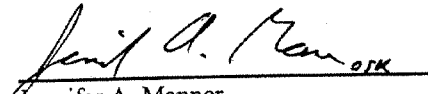
¹ The deadline for filing Petitions for Clarification or Reconsideration of the grant of the BGAN STAs is today, June 12, 2006. *See* 47 C.F.R. § 1.106(f).

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
**PILLSBURY WINTHROP
SHAW PITTMAN LLP**
2300 N Street, NW
Washington, DC 20037-1128
(202) 663-8000



Jennifer A. Manner
Vice President, Regulatory Affairs
**MOBILE SATELLITE VENTURES
SUBSIDIARY LLC**
10802 Parkridge Boulevard
Reston, Virginia 20191
(703) 390-2700

Dated: June 12, 2006

Exhibit A



RECEIPT COPY

Jennifer A. Manner
Vice President, Regulatory Affairs

PHONE: 703 390-2730
FAX: 703 390-2770
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 12th 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 12th 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 12th 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 12th 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.

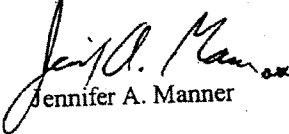
Conditions 6, 7, and 10. In Conditions 6, 7, and 10, the May 12th decisions explain that grant of the STA (i) is not based on a finding, and is without prejudice to any future determination the Commission may make, that Inmarsat's L band operations are consistent with operation on a non-interference 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
Page 3

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:

Roderick Porter*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

James Ball*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Karl Kensinger*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Robert Nelson*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Andrea Kelly*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Stephen Duall*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Keith H. Fagan
Telenor Satellite, Inc.
1101 Wootton Parkway
10th Floor
Rockville, MD 20852

Gardner Foster*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Cassandra Thomas*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Fern Jarmulnek*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Howard Griboff*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Scott Kotler*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Alfred M. Mamlet
Steptoe & Johnson LLP
1330 Connecticut Avenue N.W.
Washington, D.C. 20036

Counsel for Stratos Communications, Inc.

Diane J. Cornell
Vice President, Government Affairs
Inmarsat, Inc.
1100 Wilson Blvd, Suite 1425
Arlington, VA 22209

John P. Janka
Jeffrey A. Marks
Latham & Watkins LLP
555 Eleventh Street, N.W.
Suite 1000
Washington, DC 20004

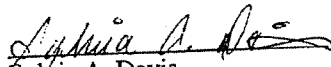
William K. Coulter
DLA Piper Rudnick Gray Cary US LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412

Counsel for FTMSC US, LLC

Linda J. Cicco
BT Americas Inc.
11440 Commerce Park Drive
Reston, VA 20191

Lawrence J. Movshin
Stephen L. Goodman
Lee J. Rosen
Wilkinson Barker Knauer, LLP
2300 N St. NW, Suite 700
Washington, DC 20037

Counsel for MVS USA, Inc.


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:

Roderick Porter*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

James Ball*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Karl Kensinger*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Robert Nelson*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Andrea Kelly*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Stephen Duall*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Keith H. Fagan
Telenor Satellite, Inc.
1101 Wootton Parkway
10th Floor
Rockville, MD 20852

Gardner Foster*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Cassandra Thomas*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Fern Jarmulnek*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Howard Griboff*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Scott Kotler*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Alfred M. Mamlet
Steptoe & Johnson LLP
1330 Connecticut Avenue N.W.
Washington, D.C. 20036

Counsel for Stratos Communications, Inc.

Diane J. Cornell
Vice President, Government Affairs
Inmarsat, Inc.
1100 Wilson Blvd, Suite 1425
Arlington, VA 22209

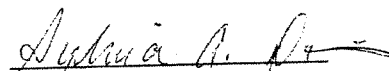
John P. Janka
Jeffrey A. Marks
Latham & Watkins LLP
555 Eleventh Street, N.W.
Suite 1000
Washington, DC 20004

William K. Coulter
DLA Piper Rudnick Gray Cary US LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412
Counsel for FTMSC US, LLC

Linda J. Cicco
BT Americas Inc.
11440 Commerce Park Drive
Reston, VA 20191

Lawrence J. Movshin
Stephen L. Goodman
Lee J. Rosen
Wilkinson Barker Knauer, LLP
2300 N St. NW, Suite 700
Washington, DC 20037

Counsel for MVS USA, Inc.


Sylvia A. Davis

*By hand delivery

Exhibit B

**Mobile Satellite Ventures Subsidiary LLC, Reply,
File No. SES-STA-20060310-00419 et al (June 29, 2006)**

**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)

REPLY TO OPPOSITION TO PETITION FOR CLARIFICATION

Mobile Satellite Ventures Subsidiary LLC (“MSV”) hereby submits this Reply to the Opposition to its 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.

In its Petition, MSV asked the Bureau to clarify some of the conditions imposed on the grants of the STA requests intended to help mitigate the harmful interference that will result to MSV’s customers from Inmarsat’s uncoordinated BGAN operations.¹ On June 19, 2006,

Inmarsat Ventures Limited (“Inmarsat”), along with Telenor Satellite Inc., FTMSC US, LLC, BT Americas Inc., MVS USA, Inc., and Stratos Communications, Inc. (collectively, the “BGAN

¹ See Mobile Satellite Ventures Subsidiary LLC, Petition for Clarification, File No. SES-STA-20060310-00419 et al (June 12, 2006) (“*MSV Petition*”) (attaching Letter from Ms. Jennifer A. Manner, MSV, to Ms. Marlene H. Dortch, FCC, File No. SES-STA-20060310-00419 et al. (May 26, 2006) at Exhibit A).

Distributors”) filed a Joint Opposition to MSV’s Petition.² As discussed herein, their objections to MSV’s requested clarifications are baseless.

Condition 1. MSV requested that the Commission clarify that the condition limiting the “downlink EIRP densities” to a certain level is an aggregate limit. *MSV Petition*, Exhibit A at 1. Inmarsat concedes that this is an aggregate limit. *Inmarsat et al Opposition* at 2. As such, the Bureau should clarify this condition as requested. MSV, however, is concerned by Inmarsat’s statement that an aggregate downlink EIRP limit is not necessary because Inmarsat will not illuminate a given geographic area with more than one co-frequency carrier as this would cause self-interference. *Id.* This statement demonstrates a fundamental and disturbing misunderstanding of the condition imposed by the Bureau, which warrants further clarification. The Bureau’s intent in establishing an “aggregate” downlink EIRP density limit is to cap the EIRP coming down from a beam or beams used on Inmarsat 4F2, regardless of whether the beams cover the United States or whether the energy is transmitted via the skirt of the main lobe or the sidelobes of a number of beams that spill energy over the United States. Our understanding of the Bureau’s condition is that it is intended to ensure that the narrow spot beams on Inmarsat 4F2 that reuse the frequencies coordinated for MSAT-1 and MSAT-2 outside of North America limit their aggregate co-channel reuse interference toward the coverage area of MSAT-1 and MSAT-2 to the levels coordinated for the Inmarsat 3F4 satellite at 54°W. The Bureau should promptly correct Inmarsat’s misunderstanding to avoid interference to the operations of other L band MSS operators.

MSV also requested that the Bureau clarify that the aggregate uplink and aggregate downlink EIRP densities from all of Inmarsat’s satellites, including Inmarsat 4F2, must not

² See *Inmarsat Ventures Limited et al., Joint Opposition to Petition for Clarification*, File No. SES-STA-20060310-00419 et al (June 19, 2006) (“*Inmarsat et al Opposition*”).

exceed the level that existed before the launch of Inmarsat 4F2. *MSV Petition*, Exhibit A at 1. Inmarsat avoids this issue by stating that the STAs pertain only to BGAN service and only to the Inmarsat 4F2 satellite. Thus, according to Inmarsat, there is no basis for extending limits to satellites that are not the subject of the STA requests. *Inmarsat et al Opposition* at 3. This clarification, however, is essential to ensure that operation of the uncoordinated Inmarsat 4F2 satellite does not result in interference to other L band operators. Inmarsat has proceeded to operate its new Inmarsat 4F2 satellite as well as other satellites in the United States without coordinating those satellites first with other L band operators.³ Had Inmarsat coordinated these satellites with MSV, agreements would have been made to ensure that MSV would be protected from emissions from Inmarsat 4F2 as well as from the aggregate emissions from all of Inmarsat's other satellites operating over North America. Having failed to coordinate its satellites, Inmarsat cannot complain now if the Bureau attaches a condition intended to ensure that MSV is protected from interference from aggregate emissions of all of Inmarsat's coordinated and uncoordinated satellites.⁴

Conditions 2 and 5. MSV asked the Bureau to make clear that Inmarsat and the BGAN Distributors are jointly and severally responsible for immediately rectifying any interference caused by BGAN operations. *MSV Petition*, Exhibit A at 2. In addition, MSV asked the Bureau to explain that any action taken or expense incurred by Inmarsat as a result of operations pursuant to this STA is solely at Inmarsat's own risk. *Id.* In response, Inmarsat states that it has "ample incentive" to ensure that the BGAN Distributors comply with the STA conditions.

³ Inmarsat is operating uncoordinated satellites at 52.75°W, 98°W, 142°W, and 143.5°E.

⁴ While Inmarsat complains that the Bureau never imposed an aggregate EIRP density limit on the operations of MSV-1 and MSV-SA, Inmarsat never requested such a limit. In fact, Inmarsat never raised any objections to MSV's applications to operate MSV-1 and MSV-SA. The Bureau cannot be faulted for failing to adopt an interference limit when there was no record evidence to support such a limit. In any event, MSV has since surrendered its license for the MSV-SA satellite.

Inmarsat et al Opposition at 3-4. As the operator of the satellite used for BGAN service, Inmarsat's own compliance with the STA conditions, especially the obligation to take immediate action to rectify any interference, is essential to help mitigate the harmful interference from uncoordinated BGAN operations. Given that Inmarsat has "ample incentive" to help the BGAN Distributors comply with these conditions, it will not be burdened should the Bureau clarify that Conditions 2 and 5 apply to Inmarsat as well.

Condition 3. MSV urged the Bureau to require each of the BGAN Distributors 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. *MSV Petition*, Exhibit A at 2. Once again, Inmarsat claims that it has "every incentive" to ensure that the BGAN Distributors comply with this condition. *Inmarsat et al Opposition* at 4. As such, Inmarsat should have no concern with providing the BGAN Distributors with such a certification. Requiring such a certification will provide needed assurance to the Bureau, MSV, and the BGAN Distributors that Inmarsat is complying with this condition. There is precedent for such a requirement. For example, an applicant for a Fixed Satellite Service ("FSS") earth station that does not conform with the Commission's rules must submit with its application certifications from the operators of the satellites with which it intends to communicate demonstrating that all affected satellite operators have taken the non-routine operations into account in their coordination negotiations. 47 C.F.R. § 25.220. In adopting this requirement, the Commission explained that "since the earth station operator will be a customer of the target satellite operator, the target satellite operator has an incentive to obtain the certifications."⁵

⁵ See *Fifth Report and Order*, 20 FCC Rcd 5666, ¶ 50 (March 15, 2005).

Condition 4. MSV requested that the Bureau 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 to mitigate harmful interference to MSV. *MSV Petition*, Exhibit A at 2. Inmarsat claims that this condition is unwarranted because it is unclear that 50 kHz is the appropriate guard band size. *Inmarsat et al Opposition* at 4-5. The fact is that BGAN operations are permitted only on a strictly non-interference and unprotected basis. As MSV explained in its Petition, its initial observation of experimental BGAN signals revealed that a *minimum* 50 kHz guard band is needed to protect MSV from interference. *MSV Petition*, Exhibit A at 2. While real world experience may demonstrate that a larger guard band is needed, specification of a 50 kHz guard band now in advance of coordination is a reasonable means to help mitigate harmful interference to MSV's customers. Inmarsat also complains that MSV is trying to "shift the entire operational burden of coordination to Inmarsat." *Inmarsat et al Opposition* at 5. Of course, MSV's request is not a substitute for coordination. The conditions attached to the STAs are temporary measures to minimize interference in the absence of a coordination agreement. Once Inmarsat takes the necessary steps to complete coordination of its satellite with MSV, the size and location of any guardbands can be determined more precisely.

Conditions 6, 7, and 10. MSV also urged the Bureau to explain that it expects Inmarsat to diligently conclude coordination of its Inmarsat 4F2 satellite with respect to the current and planned operations of 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 full BGAN authority. *MSV Petition*, Exhibit A at 2-3. In response, Inmarsat claims that this condition is inappropriate because Inmarsat 4F2 is operating within the technical envelope coordinated with MSV. *Inmarsat et al Opposition* at 6. In fact,

this “technical envelope” simply does not exist because Inmarsat has not diligently coordinated all of its operations in order to establish such an envelope. The fact is that the key technical parameters of Inmarsat 4F2 used to support BGAN services, such as its proposed use of loaned frequencies, increased number of co-channel reuse beams, higher aggregate EIRP, and wideband carriers, have not been previously coordinated, thus making operation of Inmarsat 4F2 on a non-harmful interference basis relative to other L band systems unlikely.⁶ Inmarsat also contends that this condition is unfair because it provides MSV with “sole control” over whether the Commission will ever grant full authority for BGAN service. *Inmarsat et al Opposition* at 6. 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. Inmarsat next argues that completion of coordination is not a condition precedent to issuance of an authorization to provide MSS. *Inmarsat et al Opposition* at 6. 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 4F2.⁷ Inmarsat also claims that such a condition is inconsistent with how the Bureau treated MSV in granting it licenses for its next-generation satellites. *Inmarsat et al Opposition* at 6. In those cases, however, no entity claimed that these satellites would cause harmful interference. It was thus entirely reasonable for the Bureau to

⁶ See, e.g., Mobile Satellite Ventures Subsidiary LLC, Petition to Hold in Abeyance, File No. SES-LFS-20060303-00343, File No. SES-AMD-20060316-00448 (Call Sign E060076) (April 14, 2006), at 14-19. MSV incorporates this filing by reference.

⁷ 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).


license these satellites in advance of coordination. Conversely, in the case of the Inmarsat 4F2 satellite, its proposed use of loaned frequencies, as well as its wider bandwidth carriers, higher aggregate EIRP, and greater number of co-channel reuse beams relative to any satellite Inmarsat has operated previously means that harmful interference will occur absent prior coordination. In addition, 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. Conversely, an earth station application such as that presented here is fundamentally different because it means that operation of the uncoordinated Inmarsat 4F2 satellite and the resulting harmful interference are imminent. Moreover, in granting the MSV-1 and MSV-SA licenses, 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.⁸

⁸ 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.

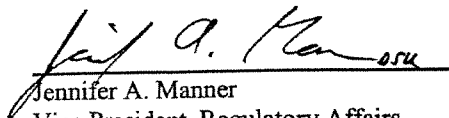
Conclusion

MSV requests that the Bureau adopt MSV's requested clarifications to the conditions imposed on the STAs granted for BGAN operations in the United States to improve their effectiveness in mitigating harmful interference to other L band operators.

Respectfully submitted,



Bruce D. Jacobs
David S. Konczal
**PILLSBURY WINTHROP
SHAW PITTMAN LLP**
2300 N Street, NW
Washington, DC 20037-1128
(202) 663-8000




Jennifer A. Manner
Vice President, Regulatory Affairs
**MOBILE SATELLITE VENTURES
SUBSIDIARY LLC**
10802 Parkridge Boulevard
Reston, Virginia 20191
(703) 390-2700

Dated: June 29, 2006

Technical Certification

I, Richard O. Evans 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 this Reply. I am familiar with the Commission's rules, and the information contained in the Reply is true and correct to the best of my knowledge and belief.


Richard O. Evans

Dated: June 29, 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 29th day of June 2006, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

Roderick Porter*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Gardner Foster*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

James Ball*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Cassandra Thomas*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Karl Kensinger*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Fern Jarmulnek*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Robert Nelson*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Howard Griboff*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Andrea Kelly*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Scott Kotler*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Stephen Duall*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Alfred M. Mamlet
Steptoe & Johnson LLP
1330 Connecticut Avenue N.W.
Washington, D.C. 20036

Counsel for Stratos Communications, Inc.

Keith H. Fagan
Telenor Satellite, Inc.
1101 Wootton Parkway
10th Floor
Rockville, MD 20852

Diane J. Cornell
Vice President, Government Affairs
Inmarsat, Inc.
1100 Wilson Blvd, Suite 1425
Arlington, VA 22209

John P. Janka
Jeffrey A. Marks
Latham & Watkins LLP
555 Eleventh Street, N.W.
Suite 1000
Washington, DC 20004

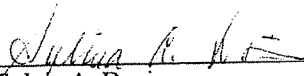
William K. Coulter
DLA Piper Rudnick Gray Cary US LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412

Counsel for FTMSC US, LLC

Linda J. Cicco
BT Americas Inc.
11440 Commerce Park Drive
Reston, VA 20191

Lawrence J. Movshin
Stephen L. Goodman
Lee J. Rosen
Wilkinson Barker Knauer, LLP
2300 N St. NW, Suite 700
Washington, DC 20037

Counsel for MVS USA, Inc.


Sylvia A. Davis

*By electronic mail

Exhibit C

Table of Contents

SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 6-K

REPORT OF FOREIGN PRIVATE ISSUER

**Pursuant to Rule 13a-16 or 15d-16 of
the Securities Exchange Act of 1934**

September 30, 2006

333-115865-06

Inmarsat Group Limited

(Exact name of Registrant as specified in its charter)

Inmarsat Group Limited

(Translation of Registrant's name into English)

England and Wales

(Jurisdiction of incorporation or organization)

**99 City Road, London
United Kingdom, EC1Y 1AX**
(Address of principal executive office)

333-115865-06

Inmarsat Finance plc

(Exact name of Registrant as specified in its charter)

Inmarsat Finance plc

(Translation of Registrant's name into English)

England and Wales

(Jurisdiction of incorporation or organization)

99 City Road, London

United Kingdom, EC1Y 1AX

(Address of principal executive office)

333-115865

Indicate by check mark whether the Registrant files or will file annual reports under cover Form 20-F or Form 40-F.

20-F 40-F

Indicate by check mark whether the Registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b) (1):-

Indicate by check mark whether the Registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b) (7):-

Indicate by check mark whether by furnishing the information contained in this Form, the registrant is also thereby furnishing the information to the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of 1934.

Yes No

If "Yes" is marked, indicate below the file number assigned to the registrant in connection with Rule 12g3-2(b):
82-

Table of Contents

INMARSAT GROUP LIMITED
CONDENSED CONSOLIDATED FINANCIAL RESULTS
For the three and nine months ended
September 30, 2006
(unaudited)

Table of Contents

Revenues from BGAN services during the nine months ended September 30, 2006 are set out in the table below. These figures include voice, data and subscription revenues. As at September 30, 2006 there were 5,547 active BGAN subscribers.

	Three months ended			Nine months ended
	March 31, 2006	June 30, 2006	September 30, 2006	September 30, 2006
BGAN Services				
Revenues (US\$ in millions)	0.5	1.6	3.2	5.3
Active subscribers	2,113	3,367	5,547	5,547

Aeronautical Sector. During the three months ended September 30, 2006, revenues from the aeronautical sector were US\$8.0 million, an increase of US\$2.3 million, or 40%, compared with the three months ended September 30, 2005. The increase continues to be attributed primarily to the Swift 64 high-speed data service, which targets the government aircraft and business jet markets as well as being used by commercial airlines. In addition revenues for low-speed data services benefited from increased industry demand.

Leasing. During the three months ended September 30, 2006, revenues from leasing were US\$16.3 million, an increase of US\$2.2 million, or 16%, compared with the three months ended September 30, 2005 as a result of a new aeronautical Swift 64 lease.

Subsidiary revenues. Following the disposal of Invsat Limited and the business and assets of Rydex Corporation Limited in September 2005 and October 2005 respectively, subsidiary revenues were US\$nil for the three months ended September 30, 2006, compared to US\$3.0 million in the three months ended September 30, 2005.

Other income. Other income was US\$1.9 million for the three months ended September 30, 2006, an increase of US\$0.7 million, or 58%, compared with the three months ended September 30, 2005 as a result of the provision of additional in-orbit support services. Other income consists primarily of income from the provision of conference facilities, renting surplus office space, fees for in-orbit support services and revenue from sales of R-BGAN end user terminals.

Seasonality. Revenues are impacted by volume discounts that increase over the course of the financial year. There are lower discount levels in early quarters representing the minimum annual discount and higher discount levels in later quarters, as distribution partners meet specific volume thresholds, resulting in lower prices beyond the level of the minimum annual discount. Additionally, in 2006 and future years, the total amount of volume discounts will be affected by the merger of Xantic B.V. with Stratos Global Corporation which serves to increase the amount of revenues attributed to a single distribution partner.

CERTIFICATE OF SERVICE

I, Julia Colish, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 7th day of February 2007, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

Robert Nelson*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Scott Kotler*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Andrea Kelly*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Deborah Deffaa
MVS USA, Inc.
175 Rock Road
Glen Rock, NJ 07452

John Martin*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554


Kathryn Medley*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Stephen Dual*
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Lawrence J. Movshin
Wilkinson Barker Knauer, LLP
2300 N St. NW, Suite 700
Washington, DC 20037

Counsel for MVS USA, Inc.

*By electronic mail



Julia Colish