

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

In the matter of)
)
Deere & Company) File No. SES-STA-20070924-01310

OPPOSITION OF INMARSAT VENTURES LIMITED

Inmarsat Ventures Limited (“Inmarsat”) opposes the Petition to Deny (“Petition”) of Mobile Satellite Ventures Subsidiary LLC (“MSV”). This proceeding involves a request by Deere & Company (“Deere”) for special temporary authority (“STA”) to permit the provision of longstanding Inmarsat services using an additional point of communication – the Inmarsat-3 satellite at 142° W.L. (“I-3”).

Deere has been authorized to provide the proposed service, known as the GreenStar precision farming system, in the United States over the Inmarsat-2 satellite at 98° W.L. since 2001. Last year, the Commission granted Deere an STA to test the GreenStar system over the I-3 satellite at 142° W.L., the same service Deere now seeks to provide on a commercial basis over that satellite.¹ MSV offers nothing new in its Petition, but rather repeats its concerns related to operation of the I-3 satellite, to which Inmarsat has fully responded on many prior occasions.² Deere has shown that circumstances warrant STA. Furthermore, there is no basis to impose the additional conditions sought by MSV. For the reasons discussed herein, and in

¹ See Deere and Company, SES-STA-20060605-00922 (granted Aug. 7, 2006).

² See, e.g., Reply of Inmarsat, File No. SES-STA-20060605-00922 (filed June 21, 2006); Opposition of Inmarsat, File Nos. SES-MFS-20060725-01253, *et al.* (filed Sept. 21, 2006) (opposing MSV’s Petition to Hold in Abeyance Telenor application to use I-3 at 142° W.L.); Letter from Counsel for Inmarsat to FCC, File Nos. SES-MFS-20060725-01253, *et al.* (filed Oct. 17, 2006); see also pleadings cited, *infra*, note 11.

numerous prior pleadings filed in similar proceedings, the Commission should grant Deere's STA request without delay.

Grant of Deere's STA application will provide substantial benefits to the United States farming industry, as described in Deere's application. Specifically, grant of this authority will provide important in-orbit redundancy capabilities and improve the reliability of the GreenStar system.

In contrast, there are no countervailing harms posed by Deere's STA application. Specifically, contrary to MSV's suggestion,³ Deere's proposed operations using the I-3 satellite at 142° W.L. do not raise any interference issues. Inmarsat has been successfully operating that spacecraft at 142° W.L. for approximately 18 months, since the time Inmarsat decommissioned the Inmarsat-2 spacecraft that had been successfully operating at that location for the previous four years. Nowhere does MSV allege that Inmarsat's operations at 142° W.L. have caused harmful interference.

Moreover, the proposed service to be provided at 142° W.L. is the same as the service that has been successfully provided over Inmarsat-2 at 98° W.L. for years. MSV does not claim that Deere's current operations using that spacecraft have caused harmful interference. Deere requests STA to provide the same type of L-Band service that the Commission has authorized Deere to provide since 2001, using the I-2 spacecraft at 98° W.L, only three degrees from MSV's spacecraft at 101° W.L.⁴ Deere does not seek to use different METs or to increase the number of METs for which it has been authorized for some time. In sum, Deere's STA proposing to provide the same type of L-Band service, over the same types of METs, without an

³ MSV Petition at 1-4.

⁴ See File No. SES-LIC-20010112-00051 (authorizing Deere's provision of L-Band services over the Inmarsat-2 spacecraft at 98° W.L.).

increase in the number of METs, using an Inmarsat satellite even further away from MSV compared to Deere's current operations, cannot reasonably be expected to have any adverse effect on MSV.

MSV's assertion about coordination with regard to I-3 at 142° W.L. in no way should delay grant. As Inmarsat has detailed in prior pleadings, Inmarsat's efforts to coordinate the operations of that spacecraft with MSV date back to the early part of this decade.⁵ More fundamentally, Commission precedent is clear that achieving mutually agreeable coordination arrangements with another MSS competitor simply is *not* a condition precedent to receiving authority to provide an MSS service to the United States.⁶ Furthermore, grant of Deere's application to communicate with I-3 at 142° W.L. is fully consistent with the recent grant of MSV's application to operate a new and uncoordinated L-Band MSS spacecraft at 63.5° W.L.⁷ The Commission granted that application without imposing any obligation on MSV to effectuate coordination with Inmarsat prior to launching or operating MSV's spacecraft. Here (as the Commission found in MSV's case)⁸ no other L-Band system in the vicinity of the United States could use the L-Band spectrum currently used by Inmarsat to serve the United States.⁹

⁵ See, e.g., Inmarsat Consolidated Response, File No. SES-STA-20051216-01756 *et al.*, at 9-11 (Jan. 6, 2006).

⁶ See *Establishment of Policies and Service Rules for MSS in the 2 GHz Band*, 15 FCC Rcd 16127, 16192 ¶ 148-49 (2000); *SatCom Systems, Inc.*, 14 FCC Rcd 20798, 20813 ¶ 30 (1999); *Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to MSS in the 1610-1626.5/2483.5-2500 MHz Frequency Bands*, 9 FCC Rcd 5936, 6018 ¶ 211 (1994); *AMSC Sub. Corp.*, 8 FCC Rcd 4040, 4043 ¶ 17 (1993).

⁷ *Mobile Satellite Ventures Subsidiary LLC*, 20 FCC Rcd 479 (2005). MSV has since surrendered this authorization.

⁸ *Id.* ¶ 8.

⁹ The three cases that MSV cites for the proposition that coordination must be achieved "where harmful interference might occur" prior to receiving operating authority consider authority for C/Ku band FSS – not MSS – and are otherwise inapplicable. MSV Petition at 2 & n.3.

Moreover, Inmarsat has successfully operated on a non-harmful interference basis while it has sought to come to agreement with MSV.

MSV also repeats its requests from earlier proceedings that the Commission impose conditions on the Deere STA beyond those applied to current STAs for longstanding Inmarsat services held by other providers, or beyond those applied to Deere's earlier granted STA to use I-3 satellite at 142° W.L.¹⁰ Specifically, MSV asks the Commission to: (i) adopt conditions sought in MSV's May 26, 2006 *Ex Parte* Presentation; and (ii) establish a "firm expiration date" for the Deere STAs unless the parties complete coordination. These requests are baseless and should not be granted. Because these issues have been fully briefed, and in the interest of conserving Commission resources, Inmarsat incorporates earlier pleadings by reference for inclusion in the record here.¹¹

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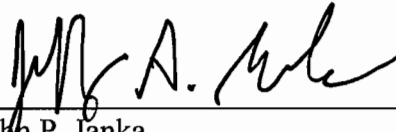
Inmarsat demonstrates above that MSV has provided no legitimate basis for how Deere's proposed operations will cause harmful interference. None of the cases cited by MSV involved the continuation of existing MSS services that had been provided interference free for years.

¹⁰ See, e.g., Stratos Communications, Inc., File No. SES-STA-20051216-01760 (granted Jan. 18, 2006); see Deere and Company, SES-STA-20060605-00922 (granted Aug. 7, 2006).

¹¹ See, e.g., Joint Opposition, File Nos. SES-STA-20060310-00419 *et al.* (filed June 19, 2006); Joint Letter from Inmarsat *et al.* to FCC, File Nos. SES-LFS-20050826-01175, *et al.* (filed Dec. 6, 2006); see also Joint Letter from Inmarsat *et al.* to FCC, File Nos. SES-MFS-20051122-01614 *et al.* (filed Jul. 6, 2006); Joint Letter from Inmarsat *et al.* to FCC, File Nos. SES-MFS-20051122-01614 *et al.* (filed Jul. 6, 2006).

For the reasons discussed above and in earlier pleadings, the Commission should grant the Deere application without delay.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Jeffrey A. Marks, hereby certify that on this 17th day of October, 2007, I caused to be served a true copy of the foregoing "Opposition of Inmarsat Ventures Limited," by first class mail, postage pre-paid (or as otherwise indicated) upon the following:

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