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Federal Communications Commission
Office of the Secretary

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

In the matter of)
)
Satamatics, Inc.) File No. SES-STA-20071010-01406 (Call Sign E020074)

COMMENTS OF MOBILE SATELLITE VENTURES SUBSIDIARY LLC

Mobile Satellite Ventures Subsidiary LLC (“MSV”) hereby files this Reply to the Joint Response of Satamatics, Inc. and Inmarsat Ventures Limited (collectively, “Inmarsat”) to MSV’s Comments on the above-captioned request for 60-day renewal of an existing grant of Special Temporary Authority (“STA”) to operate earlier-generation mobile earth terminals using the uncoordinated Inmarsat 4F2 satellite at 52.75° W.L. As MSV explained in its Comments, the Bureau should continue to apply the conditions imposed on the original STA grant for earlier-generation services as well as (i) immediately require Inmarsat to cease its use of the loaned frequencies and (ii) establish a firm expiration date for the STA without Inmarsat having completed coordination of the Inmarsat 4F2 satellite with the United States.

In the Joint Response, Inmarsat claims that use of the Inmarsat 4F2 satellite for earlier-generation services has not resulted in interference. *Joint Response* at 1-2.¹ In fact, the opposite

¹ In the Joint Response, Inmarsat incorporates various pleadings by reference. *Joint Response* at 1-2. MSV hereby incorporates by reference the following pleadings. *See* Letter from Jennifer A. Manner, MSV, to Ms. Marlene H. Dortch, FCC, File No. SES-MFS-20051122-01614 (Call Sign E000180) *et al.* (June 20, 2006); Letter from Ms. Jennifer A. Manner, MSV, to Ms. Marlene H. Dortch, FCC, File No. SES-MFS-20051122-01614 *et al.* (July 18, 2006) (responding to the Opposition of Inmarsat and its distributors to MSV’s request that, to the extent the Commission grants the pending applications to operate with the uncoordinated Inmarsat 4F2 satellite despite the facts that (i) harmful interference will likely occur, (ii) grant of the applications prior to a coordination agreement is inconsistent with precedent, (iii) grant will condone Inmarsat’s usurpation of spectrum coordinated by the United States and Canada as well as Inmarsat’s continued abdication of its obligation to coordinate its satellites internationally, and (iv) grant would endorse the current inefficient, non-contiguous assignment of L band frequencies, then the

is true. Inmarsat continues to refuse to relinquish the loaned frequencies despite the harm that is being caused to MSV and its customers. *MSV Comments*, Attachment at 2-4. This harm is occurring today, because MSV is precluded from using the loaned frequencies to support existing customers, including to provide unique satellite-based push-to-talk (“PTT”) service, which offers critical communications capabilities to first responders when terrestrial infrastructure is impaired. *Id.* at 2. Inmarsat does not refute the impact its usurpation of L band frequencies is having on MSV and MSV Canada and their customers. Moreover, as MSV explained previously, there is no analytical, statistical, or other evidence in the record of this or any other proceeding to support Inmarsat’s alleged need for the loaned frequencies.² As such, Inmarsat’s refusal to return these frequencies is causing harm to MSV and MSV Canada and their customers without any apparent benefit for Inmarsat’s users.

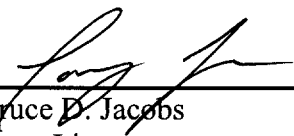
In its Comments, MSV requested that the Bureau provide a clear expiration date for these STA unless Inmarsat has completed coordination of its new and relocated Inmarsat satellites, including rebanding of L band spectrum into more contiguous frequency blocks, which will reduce the potential for harmful interference and promote efficient use of spectrum. *MSV*

Commission should attach certain conditions intended to mitigate some of this harm); Letter from Jennifer A. Manner, MSV, to Mr. John Giusti and Mr. Julius Knapp, FCC (June 20, 2006); Letter from Ms. Jennifer A. Manner, MSV, to Ms. Marlene H. Dortch, FCC, Call Signs E010011 *et al.* (July 18, 2006) (responding to the Opposition of Inmarsat and its distributors to MSV’s request that the Commission preclude Inmarsat from using frequencies licensed to and coordinated for MSV and MSV Canada); Mobile Satellite Ventures Subsidiary LLC, Petition to Hold in Abeyance, File No. SES-MFS-20060118-00050 *et al.* (March 3, 2006); Reply of MSV, File No. SES-MFS-20060118-00050 *et al.* (March 28, 2006) (responding to Inmarsat’s Opposition to MSV’s Petition to Hold in Abeyance Telenor Satellite Inc.’s application to provide non-BGAN Inmarsat service over Inmarsat 4F2); Comments of MSV, File No. SES-STA-20060710-01131 *et al.* (July 17, 2006); Response of MSV, File No. SES-STA-20060710-01131 *et al.* (August 11, 2006); Comments of MSV, File No. SES-STA-20060511-00788 *et al.* (May 15, 2006).

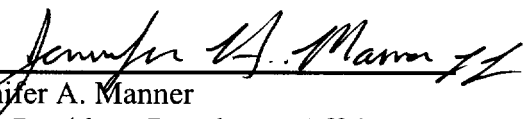
² See *MSV Comments*, Attachment at 4; Comments of MSV, File No. SES-STA-20060710-01131 *et al.* (July 17, 2006), at 3-4.

Comments, Attachment at 4-6. In response, Inmarsat cites previous filings in which it claimed that rebanding should be resolved during the L band coordination process. *Joint Response* at 2. MSV agrees and once again invites Inmarsat to engage in coordination discussions. Commission action to facilitate rebanding, however, will in no way trump the international coordination process. Rather, such action will establish that the Commission expects L band operators to seek to maximize the potential of the L band for offering broadband services, which Chairman Martin has stated is a top Commission priority.³ If, however, the Bureau continues to grant and renew STAs for use of Inmarsat's uncoordinated satellites and services without insisting that it first complete coordination, there are no reasonable prospects that such coordination will ever be successfully completed.

Respectfully submitted,



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Dated: November 2, 2007

³ See Remarks of FCC Chairman Kevin J. Martin, *Imagining the Digital Healthcare Future in the Rural West*, Montana State University – Bozeman (July 7, 2006) (“Since becoming Chairman about 16 months ago, I have made broadband deployment the Commission’s top priority. . . . Broadband technology is a key driver of economic growth. The ability to share increasing amounts of information, at greater and greater speeds, increases productivity, facilitates interstate commerce, and helps drive innovation. But perhaps most important, broadband has the potential to affect almost every aspect of our lives.”).

CERTIFICATE OF SERVICE


I, Sylvia Davis, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 2nd day of November 2007, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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