

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

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NOV - 8 2007

Federal Communications Commission  
Office of the Secretary

In the matter of	)	
	)	
Stratos Communications, Inc.	)	File No. SES-STA-20071101-01488 (Call Sign E050249)
	)	
BT Americas Inc.	)	File No. SES-STA-20071102-01522 (Call Sign E060076)
	)	
MVS USA, Inc.	)	File No. SES-STA-20071106-01534 (Call Sign E050348)
	)	
Vizada Satellite, Inc.	)	File No. SES-STA-20071102-01520 (Call Sign E050276)
	)	

**COMMENTS OF MOBILE SATELLITE VENTURES SUBSIDIARY LLC**

Mobile Satellite Ventures Subsidiary LLC (“MSV”) urges the International Bureau (“Bureau”), in acting on the above-captioned requests for renewal of Special Temporary Authority (“STA”) to operate Broadband Global Area Network (“BGAN”) terminals using the uncoordinated Inmarsat 4F2 satellite at 52.75°W, to (i) establish a firm expiration date for these STAs and provide that no further extensions will be granted without Inmarsat first having completed coordination of its now nearly two-year-old satellite with the North American L band operators; (ii) limit the use of BGAN terminals authorized under the STAs to “first responders”; and (iii) adopt conditions consistent with what MSV has requested in a pending Petition for Clarification.<sup>1</sup> MSV has justified its request in prior filings regarding these periodic STA renewal applications and the underlying applications for permanent authority and incorporates by reference those pleadings.<sup>2</sup>

<sup>1</sup> See Petition for Clarification, File Nos. SES-STA-20060310-00419 *et al.* (June 12, 2006).

<sup>2</sup> See, e.g., Petition to Hold in Abeyance, File No. SES-LIC-20070712-00933 (September 14, 2007) (requesting the FCC to hold in abeyance BGAN application for permanent authority); Reply, File No. SES-LIC-20070712-00933 (October 8, 2007); Petition for Clarification, File Nos. SES-STA-20060310-00419 *et al.* (June 12, 2006) (requesting clarification of BGAN STA license conditions to ensure protection to MSV and its customers); Reply, File Nos. SES-STA-

In short, MSV has demonstrated, *inter alia*, that the renewal of the BGAN STAs would increase the potential for harmful interference to MSV's system as a result of the operation of the uncoordinated satellite,<sup>3</sup> remove the incentive for Inmarsat to satisfy its obligation to coordinate its Inmarsat 4F2 satellite,<sup>4</sup> and frustrate MSV's efforts to reband the splintered L band spectrum to enable MSV to use it more efficiently and maximize the potential for the provision of broadband services.<sup>5</sup> In contrast, Inmarsat and its distributors have failed to provide any real basis for the grant of authority for the immediate provision of BGAN services,<sup>6</sup> except arguably to provide services to "first responders" during emergencies.<sup>7</sup> Even then, there is no reason to authorize the tens of thousands of BGAN terminals that Inmarsat and its distributors have requested in total.<sup>8</sup>

Indeed, in similar proceedings before Industry Canada, that agency, recognizing the harms associated with the unrestricted operation of the uncoordinated Inmarsat satellite, adopted a restricted approach to the temporary authorization of BGAN service and permitted only a very

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20060310-00419 *et al.* (June 29, 2006); Consolidated Petition to Deny, File Nos. SES-STA-20060310-00419 *et al.* (March 29, 2006) (requesting denial of BGAN STA applications); Consolidated Reply, File Nos. SES-STA-20060310-00419 *et al.* (April 11, 2006); Comments, File Nos. SES-STA-20070814-01092 *et al.* (August 20, 2007) (requesting denial of continued renewal of BGAN STA applications); Reply, File Nos. SES-STA-20070814-01092 *et al.* (September 11, 2007).

<sup>3</sup> See, e.g., Petition to Hold in Abeyance, File No. SES-LIC-20070712-00933, at 9-23 (September 14, 2007).

<sup>4</sup> See, e.g., Comments, File Nos. SES-STA-20070814-01092 *et al.*, at 3-4 (August 20, 2007).

<sup>5</sup> See, e.g., Comments, File Nos. SES-STA-20070814-01092 *et al.*, at 5 (August 20, 2007).


<sup>6</sup> See 47 C.F.R. 25.120(b)(1) (FCC may grant STA in "extraordinary circumstances.").

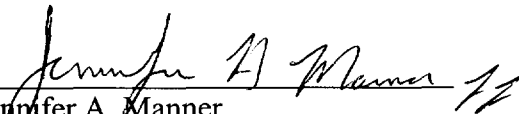
<sup>7</sup> See, e.g., Comments, File Nos. SES-STA-20070814-01092 *et al.*, at 7 n. 18 (August 20, 2007) (providing a list of public safety entities or their representatives filing letters with the Commission expressing concern with potential interference caused by Inmarsat's uncoordinated operations and expressing support for rebanding of L band spectrum).

<sup>8</sup> See, e.g., Comments, File Nos. SES-STA-20070814-01092 *et al.*, at 4 (August 20, 2007).

few number of BGAN terminals and only for critical operations.<sup>9</sup> In any event, to the extent the Bureau renews the BGAN STA applications, it should clarify the existing conditions imposed on the temporary authorizations in order to protect MSV and its customers, which include important public safety users, from harmful interference.<sup>10</sup>

Respectfully submitted,

  
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<sup>9</sup> 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 (December 6, 2006) (authorizing the Canadian National Defence Headquarters to operate ten BGAN terminals); see also Comments, File Nos. SES-STA-20070814-01092 *et al.*, at 4-5 (August 20, 2007).

<sup>10</sup> See, e.g., Petition for Clarification, File Nos. SES-STA-20060310-00419 *et al.* (June 12, 2006) (aggregate uplink and downlink EIRP limits should apply to all visible Inmarsat satellites; conditions imposed on distributors should also apply to Inmarsat; FCC should require that distributors certify to non-use of Loaned Frequencies; Inmarsat should maintain guard bands of at least 50 kHz between band edges of carriers used by BGAN service providers and band edges of MSV's operations; and grant of STA is without prejudice to disposition of applications for permanent authority to operate BGAN terminals).

## CERTIFICATE OF SERVICE

I, Renee Williams, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that on this 8<sup>th</sup> 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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