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VIA EMAIL

September 12, 2005

Ms. Cecily Cohen  
Chairperson, FCC Informal Working Group-3  
c/o Nokia, Inc.  
1401 K Street, NW  
Suite 450  
Washington, DC. 20005

Dear Ms. Cohen:

This is in regard to a document submitted and reviewed within your IWG-3 meeting of September 7, 2005, entitled: *United States of America - Draft Proposal for the Work of the Conference, WRC-07 Agenda Item 1.9*, IWG-3/WRC-07/Proposal/Doc.5, submitted August 31, 2005, by Ron Ferguson.

The above cited Draft Proposal covers a number of important issues. Jeffrey Binckes, on behalf of GLOBALSTAR, specifically expressed an objection to one of the proposals contained in the document during your meeting. The proposal in contention was the one calling for the elimination of MSS in ITU Region 2, in the bands: 2500-2520 MHz (space-to-Earth) and 2670-2690 MHz (Earth-to-space).

GLOBALSTAR, along with other MSS operators, has, within IWG-03 and in other FCC proceedings, consistently argued for retaining the 2.5/2.6 GHz MSS bands in Article 5, the International Table of Frequency Allocations even though the bands are not presently allocated in the US Table of Frequency Allocations. Indeed, FCC Commissioner Michael J. Copps, in a speech on March 22, 2005, stated:

[T]he Commission needs to provide more certainty that satellite spectrum will remain satellite spectrum. We also need to guarantee that internationally harmonized spectrum isn't used for other purposes because such harmonization was won only after hard battles. Spectrum is the lifeblood of the satellite business. But, too often, the Commission has sent mixed signals to the satellite industry about the future of spectrum. We have reclaimed satellite spectrum for other purposes and cannibalized internationally harmonized satellite spectrum. This must stop.

This particular pair of 20 MHz MSS bands is currently allocated for MSS in *all three* ITU Regions. The bands could eventually be used by global MSS providers in some fashion when MSS allocations in the lower MSS bands become congested. MSS could also easily provide services complementary to terrestrial wireless services operating in or adjacent to these bands. The technology will exist. Furthermore, in today's era of globalization, MSS investors place a higher value on spectrum that is available globally than spectrum in bands which are allocated in only one or two ITU Regions. The diminution of available spectrum negatively affects the ability of an operator to raise capital for the business.

In WARC-92 and other WRCs of the 1990s, the U.S. and number of other administrations presented documentation and proposals demonstrating the need for a significant increase in spectrum to be allocated

to MSS. The ITU membership accepted and endorsed these proposal. Obviously, the MSS market was slower to develop than anticipated. However, recent significant growth in the traffic levels being carried within MSS networks such as GLOBALSTAR's clearly points to an increase in the popularity and usefulness of global MSS services, heralding the somewhat-belated maturation of the industry.

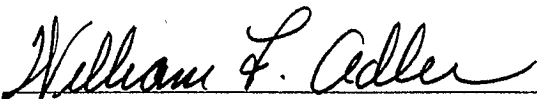
Most importantly, current and recent events such as the recent national emergency caused by Hurricane Katrina, the Tsunami in Indonesia, the terrorist attack of four years ago, and the war in Iraq have emphatically confirmed that MSS is essential to national security and emergency preparedness globally. Terrestrial telecommunications infrastructure is and always will be vulnerable to the destructive forces of nature and to the acts of people intent upon doing harm. Moreover, in many other circumstances where terrestrial services are temporarily interrupted or simply not available, as was the case in Iraq when coalition forces first entered, MSS offers the only reliable, continuous communications on land, at sea, and in the air. Again, to quote **Commissioner Copps**:

I'm eager to assist, in any way I can, making the FCC a more central part of the solution to each of these homeland security and public safety challenges. And as I've said, I'm eager to see if satellites can play an even more prominent role. But to do this the FCC must first ensure that our present policies don't interfere with the satellite industry's ability to be a powerful homeland security and public safety partner. Unfortunately, we have not done this well in every instance.

For these reasons, and others already stated in the record, GLOBALSTAR submits that it is imprudent and premature to terminate the MSS allocations in 2500-2520 and 2670-2690 MHz in Region 2 and maintains its objection to the approval of this Draft Proposal. GLOBALSTAR requests that its opposition be officially noted within the WRC Advisory Committee.

Respectfully Submitted,

GLOBALSTAR LLC

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