

Microsoft Outlook

From: Henry Goldberg <(b)(6)>
Sent: Wednesday, January 12, 2011 5:15 PM
To: Kohlenberger, Jim
Subject: fyi re the "process"
Attachments: Draft LS GPS Commitment to FCC v4.doc

Jim,

The FCC people have this draft. Let me know where the "hot spots" are.

Thanks for your help.

H

**DRAFT**

Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Re: LightSquared Application for Modification -- FCC File No. SAT-MOD-20101118-00239

Dear Ms. Dortch:

In March 2010, the Commission required that LightSquared build a new national 4G network covering 260 million PoPs by 2015. LightSquared is investing billions of dollars to build this network. This network will provide a healthy boost in jobs and economic development and will provide a robust, open access network that will permit reliable and affordable services to customers across the country in every market segment. Moreover, the LightSquared system will be an example of how future networks must be efficient users of spectrum.

The above-referenced application proposes a minor modification in the manner in which we intend to provide an integrated satellite-terrestrial broadband service. Grant of this application is an essential building block for our network and requires quick, favorable action so that we may continue to roll out our network and meet the rigorous construction timetable that the Commission has made a condition of our authorization.

The record in this proceeding, however, includes concerns from the GPS industry about possible overload of GPS devices by LightSquared base stations. Nothing in the integrated service application changes the operating characteristics of LightSquared's network or its intended use. Nevertheless, LightSquared takes this issue very seriously and believes that it is appropriate for interested parties to devote resources to its solution as soon as possible.

LightSquared is confident that this issue can be resolved without delaying deployment of wireless broadband generally or specifically with respect to the LightSquared network. Indeed, like other network operators, LightSquared itself must be able to bring devices onto its network that incorporate GPS technology, so it has a strong incentive to resolve this issue.

In this regard, LightSquared has repeatedly demonstrated its ability to work with the GPS community to resolve interference issues, as set out in its reply comments. Most recently, LightSquared has continued to address potential GPS interference issues pro-actively:

- In 2002, LightSquared's predecessor agreed with GPS industry representatives to protect GPS with more stringent out-of-band-emission limits than those required by the FCC's rules.
- At the device level, since 2009 LightSquared has sponsored tests with both GPS navigation-only devices and GPS-capable phones. So far, such tests have shown very limited adverse impact on GPS as almost all receivers were resilient to predicted interference from LightSquared's operations.

- At the base station level, throughout 2010, LightSquared successfully worked with the GPS community to design and develop a filter that eliminates interference for those CMRS base stations using GPS timing.
- LightSquared remains committed to continued testing and refining technical solutions to help resolve interference issues between GPS and LightSquared and any other future wireless operators in the frequency bands below 2 GHz.

It is important to note, however, that while a small number of devices may actually be subject to interference, the overload issue is not confined to LightSquared. Certain GPS receivers are vulnerable to overload because they were designed without the filters necessary to screen out interference from non-GPS bands. Thus, it is necessary to consider and resolve this issue in the larger context.

Accordingly, LightSquared will make the following commitments to resolve this issue:

- A. Scope.** To understand the full dimension of overload into existing GPS devices, LightSquared will work closely with the GPS industry and continue to fund testing to determine the extent of interference from operations in bands ranging from 1.4 GHz to 2.0 GHz. Testing protocols, samples, specifications, diagnostics and other issues will be subject to analysis and recommendations by an industry working group comprised of participants in the telecom and GPS industries, including chipset and device manufacturers, service providers, academic experts, user groups, and others. The working group should be lead by the Commission, and NTIA and other federal agencies will be invited to participate and/or observe discussions and meetings of this group. The group will provide monthly reports to the Commission and NTIA, allowing these agencies to monitor progress and provide input.
- B. Reference Designs/Best Practices.** To facilitate the working group's analysis, LightSquared will fund the development of specifications and reference designs that will permit broadband wireless services to be provided in the range of 1.4 to 2.0 GHz and coexist with GPS. These specifications and reference designs would be based on best practices exemplified by the numerous existing GPS devices that resist overload interference.
- C. Timeframe and Resources for Scoping.** At the end of six months, the group will submit a final report to the Commission and NTIA so that those agencies may determine the scope of interference into GPS devices and assess whether the potential for interference has been addressed adequately. If no progress or insufficient progress has been made, the Commission and NTIA would review the open issues and require resolution, giving due consideration to the public interest benefits of operation of the LightSquared network and the nationwide GPS system.
- D. Resources.** To support the above commitments, LightSquared will commit up to \$20 million.

In his remarks at the 2011 Consumer Electronics Show, Chairman Genachowski stated that the nation's broadband strategy rests on four pillars: making more spectrum available for broadband; encouraging more innovative and efficient uses of spectrum; driving widespread mobile broadband adoption, and promoting competition, transparency and vibrant innovation on it; and spurring deployment of wireless infrastructure. LightSquared's investment in an open access nationwide network based on MSS/ATC shows that these policies can result in real broadband investment in the United States. By applying the above process, LightSquared believes the Commission can create a model of responsible spectrum management that will support that effort, facilitate the prompt deployment of LightSquared's terrestrial broadband services to the American public, and protect the value of GPS.

Sincerely,

Sanjiv Ahuja
Chairman & CEO

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From: Henry Goldberg <(b)(6)>
Sent: Wednesday, January 12, 2011 5:39 PM
To: Kohlenberger, Jim
Subject: RE: fyi re the "process"

Thanks – if we can keep the lid on this for the next few days, we'll get it resolved.

From: Kohlenberger, Jim [mailto:(b)(6)]
Sent: Wednesday, January 12, 2011 5:35 PM
To: Henry Goldberg
Subject: RE: fyi re the "process"

Thanks. Great talking with you. Good letter.

From: Henry Goldberg [mailto:(b)(6)]
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