COMMENTS OF GLOBALSTAR, INC.

Globalstar, Inc. (“Globalstar”) hereby comments on the Federal Communications Commission’s (“Commission’s”) Notice of Proposed Rulemaking (“NPRM”) in the above-captioned proceeding.\(^1\) Globalstar appreciates and supports the Commission’s ongoing effort to update and streamline Part 25 of its rules. Consistent with the goals stated in the NPRM, the Commission should amend two of its rules to give non-geostationary (“NGSO”) space station licensees greater flexibility as they manage their NGSO satellite constellations.\(^2\)

First, the Commission requests comment on a previous Globalstar proposal to amend Section 25.118(e) of the Commission’s rules, which governs modifications to space station authorizations not requiring prior authorization.\(^3\) In 2010, Globalstar asked the Commission to permit an NGSO licensee to re-position individual space stations within an NGSO constellation without prior authority, provided that the number of authorized operating space stations is not exceeded and the licensee certifies that those changes will not increase interference.\(^4\) Globalstar continues to support this rule change. Today, NGSO licensees requiring even relatively minor


\(^2\) Globalstar is a leading provider of mobile satellite voice and data services (“MSS”), using its global “Big LEO” constellation to provide affordable, high-quality MSS to over 475,000 customers in over 120 countries around the world.

\(^3\) See NPRM ¶ 81; 47 C.F.R. § 25.118(e).

\(^4\) Comments of Globalstar, IB Docket No. 06-154, at 3-4 (Apr. 28, 2010).
adjustments to their satellite constellations must incur a substantial application fee (currently $29,525) and, given the workload of the Commission staff, potentially wait weeks or even months for a Commission grant before making such system modifications. Adjustments to individual satellite positions are sometimes needed on a real-time basis to maintain service quality, and extended delays can disrupt service to MSS customers such as public safety personnel who rely heavily on satellite service in times of natural disasters and other emergencies. Rather than require prior agency approval, and impose unnecessary burdens on licensees and its own staff, the Commission should amend Section 25.118(e) to permit NGSO MSS licensees to make these minor system modifications immediately and provide a description of those changes in their annual satellite reports.

The Commission also seeks comment on its notification requirement for NGSO licensees’ activation of technically identical in-orbit spares. The Commission proposes to resolve discrepancies between different Part 25 rules (Sections 25.113(h), 25.143(d), and 25.146(n)) by requiring NGSO licensees to provide the Commission with notice of such activations within 10

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5 For example, in June 2003 Globalstar decided to transition from a 48-satellite Walker configuration (6 satellites in each of 8 planes) to a 40-satellite Walker configuration (5 satellites in each of 8 planes) in order to compensate for the loss of some satellites and maintain service quality. Despite the fact that the only operational difference was that its satellites would be 72 degrees apart rather than 60 degrees apart, Globalstar had to incur thousands of dollars of legal and engineering costs to prepare the application, pay the then-required application fee of $24,270, and, given the workload of the Commission staff, wait 19 months for the application to be granted.

6 In those cases where the modification of an NGSO constellation would involve an increase in the number of operating satellites or a permanent departure from a space station’s authorized altitude or orbital plane, Globalstar recognizes the need for prior Commission authority. Such modifications should not be covered by amended Section 25.118(e).

7 Under Section 25.118(e), geostationary (“GSO”) space station licensees can make minor modifications to their satellite operations without prior Commission authorization, but must notify the Commission and any potentially affected licensees at least 30 days in advance of those changes. 47 C.F.R. § 25.118(e). This approach is not sufficient for NGSO licensees, who must be able to make necessary adjustments on a real-time basis rather than wait 30 days or more.
days. The Commission should reexamine the need for such expeditious notice. This requirement will impose an unnecessary burden on NGSO licensees while yielding no apparent public interest benefit, since replacing a malfunctioning spacecraft with an in-orbit spare does not entail any change to an NGSO constellation’s operating parameters or create any possibility of increased interference. Rather than require notice within 10 days, the Commission should require that NGSO licensees provide information regarding the activation of in-orbit spares in their annual space station reports, similar to the approach to minor modifications discussed above. Accordingly, Globalstar requests these rule changes to minimize the regulatory costs and delays associated with licensees’ management of their NGSO space station constellations, and reduce unnecessary burdens on Commission staff.

Respectfully submitted,

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8  **NPRM ¶ 47.** Section 25.113(h) requires NGSO licensees to notify the Commission within 30 days of activating technically identical in-orbit spares, while Sections 25.142(d) and 25.146(n) require notification within 10 days of such activation. All of these provisions also require licensees to certify that the activation of in-orbit spares has not caused them to exceed the total number of operating space stations authorized by the Commission.

9  As the Commission notes in the **NPRM**, Globalstar is currently subject to the annual reporting requirement contained in Section 25.143(e) of the Commission’s rules. Globalstar supports the Commission’s proposal in the **NPRM** to consolidate all space station licensee reporting requirements in a new Section 25.170. **NPRM ¶¶ 18-20.**