

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Flexibility for Delivery of Communications by	)	IB Docket No. 01-185
Mobile Satellite Service Providers in the 2 GHz	)	
Band, the L-Band, and the 1.6/2.4 GHz Bands;	)	
	)	
Review of the Spectrum Sharing Plan Among	)	IB Docket No. 02-364
Non-Geostationary Satellite Orbit Mobile Satellite	)	
Service Systems in the 1.6/2.4 GHz Bands	)	

To: Chief, International Bureau

**COMMENTS IN SUPPORT OF  
REQUEST FOR EXTENSION OF TIME**

On June 30, 2003, Globalstar, L.P. (“Globalstar”) filed a Request for Extension of Time<sup>1</sup> (“Extension Request”) requesting a two-month extension of the current dates for filing comments and reply comments on the Notice of Proposed Rulemaking (“NPRM”) in IB Docket No. 02-364.<sup>2</sup> The Official Creditors’ Committee of Globalstar, L.P. (the “Committee”) hereby files this letter in support of Globalstar’s Extension Request.

As Globalstar explained in the Extension Request, on April 25, 2003, the U.S. Bankruptcy Court for the District of Delaware approved an investment transaction pursuant to which Globalstar’s assets will be transferred to New Globalstar Corporation, a Delaware company which will be controlled by ICO Global Communications (Holdings) Limited (“ICO”). Negotiation and consummation of this investment transaction while simultaneously addressing the demands of

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<sup>1</sup> *In the Matter of Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band and the 1/6/2.4 GHz Bands*, Globalstar, L.P., Request for Extension of Time, IB Docket No. 02-364 (June 30, 2003).

<sup>2</sup> *See In the Matter of Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band and the 1/6/2.4 GHz Bands*, Report and Order and Notice of Proposed Rulemaking, FCC 03-15, IB Docket No. 02-364 (rel. Feb. 10, 2003), *published at* 68 Fed. Reg. 33666 (June 5, 2003).

the ongoing bankruptcy proceeding has been a time consuming process that continues to place a heavy burden on Globalstar's key personnel – the same personnel who are responsible for preparing Globalstar's comments and reply comments to the NPRM. For example, Globalstar's personnel have been required to devote a significant amount of time to issues involving the pending change in Globalstar's ownership and control and to various creditors' claims, including the settlement of outstanding issues with Loral Space and Communications, Ltd. In addition, Globalstar's depleted engineering staff has, to the extent that they are not dedicated to maintaining the integrity of Globalstar's systems, been required to devote their attention to evaluating the impact of Iridium Constellation LLC's ("Iridium") special temporary operations using spectrum currently assigned to Globalstar between 1616 and 1621.35 MHz in the Middle East.<sup>3</sup> Granting Globalstar's Extension Request will provide Globalstar time it needs to fully and accurately respond to the NPRM and to diligently represent its interests.

Further, a grant of the Extension Request is reasonable in light of ICO's ongoing assessment of Globalstar's current status and its need to provide guidance with respect to Globalstar's participation in ongoing Commission proceedings. ICO, which will ultimately control New Globalstar Corporation, will be directly impacted by any decision the Commission takes upon consideration of the comments and reply comments submitted in response to the NPRM. Until the proposed investment transaction is consummated, however, ICO will not have access to critical information regarding the subscriber load and technical and system performance characteristics of Globalstar's Big LEO MSS system that it must consider in order to make a reasonable assessment of possible interference and performance degradation issues raised by spectrum sharing and/or reallocation proposals. The Committee requests that the Commission

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<sup>3</sup> See *Iridium Constellation, LLC and Iridium, US LP*, Order, DA 03-1949 (rel. June 19, 2003).

grant Globalstar's Extension Request in order to allow ICO a full and fair opportunity to participate in the NPRM's comment period.

Pursuant to sections 1.49(f) and 1.1206(b)(1) of the Commission's rules, this comment is being electronically filed with the Office of the Secretary.

Respectfully submitted,

OFFICIAL CREDITORS' COMMITTEE OF  
GLOBALSTAR, L.P.

*/s/ Tom W. Davidson*

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