

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

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)

IB Docket No. 01-185

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To: The Commission

AUG 20 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS OF DELTA AIR LINES, INC.

Delta Air Lines, Inc. ("Delta") files these comments in support of the limited Petition for Reconsideration ("Petition") filed by the U.S. GPS Industry Council in the above-captioned proceeding.¹ Delta, indeed most commercial airline operators, increasingly rely on the Global Positioning System ("GPS") for air safety services and radio navigation.² Thus, Delta seeks to ensure that the GPS signal is maintained as clear as possible so that these services are not placed at risk.

The out-of-band emissions ("OOBE") limits adopted in the instant proceeding by the Commission in the 1525-1559 MHz and 1626.5-1660.5 MHz bands for the Mobile Satellite Service ("MSS") Ancillary Terrestrial Components ("ATCs") will not adequately protect the GPS signal. MSS ATCs operating in these bands pose a particularly heightened risk of harmful interference to GPS. MSS mobile terminals operating in ATC mode in the bands

¹ 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 Band, Report and Order and Notice of Proposed Rulemaking, FCC 03-15, IB Docket No. 01-185 (released February 10, 2003) ("Flexibility Order").

² See Revision of Part 15 of the Commission's Rules Regarding Ultra-wideband Transmission Systems, 17 FCC Rcd 7435, 7511-12 (2002) ("GPS will be increasingly relied upon for air navigation and safety, and is a cornerstone for improving the efficiency of the air traffic system.").

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1626.5-1660.5 MHz transmit back to the ATC wireless base stations. Consequently, the ATC operations proposed by Mobile Satellite Ventures, L.P. ("MSV") will uniquely bracket the spectrum in which the GPS L1 (1559-1610 MHz) signal is transmitted. The significantly increased user density from these ATC operations will increase the noise floor in the GPS L1 band due to the OOB from both sides.

In order adequately to protect the GPS signal, MSV and the U.S. GPS Industry Council proposed that the Commission adopt OOB limits of -100 dBW/MHz for ATC base stations in the band 1525-1559 MHz and -90 dBW/MHz for ATC mobile terminals, initially, improving to -95 dBW/MHz for new terminals in five years from commencement of service, operating in the 1626.5-1660.5 MHz bands.³ Delta notes that MSV is the only U.S. entity authorized to operate in these frequency bands, and thus its agreement with the U.S. GPS Industry Council should be given considerable weight and consideration. Unlike the OOB limits adopted by the Commission, which were developed for a specific aviation application of GPS,⁴ the limits proposed by MSV and the U.S. GPS Industry Council take into account today's commercial best practices for PCS wireless communications including the density and characteristics of wireless ATC operations. MSV and the U.S. GPS Industry Council considered all relevant issues concerning potential interference to GPS and conducted the necessary analyses to determine commercially feasible OOB limits. As a result, MSV and the U.S. GPS Industry Council proposed OOB limits that will effectively protect the GPS service's present and future operations.

³ See Letter from Bruce R. Jacobs, Counsel, Mobile Satellite Ventures L.P. and Raul Rodriguez, Counsel, the U.S. GPS Industry Council, to Marlene H. Dortch, Secretary, Federal Communications Commission, IB Docket No. 01-185 (dated July 17, 2002).

⁴ Flexibility Order at ¶ 181.

Additionally, the limits proposed by MSV and the U.S. GPS Industry Council enjoy broad support from both the public and private sectors. The limits were developed through industry agreement, faced no opposition in this proceeding, and indeed were supported by the National Telecommunications and Information Administration.⁵ Furthermore, the Commission's adoption of the more stringent limits will have no effect on any other service or circumstance given the narrow scope of the U.S. GPS Industry Council's Petition.

In the interest of air safety, as well as public safety, Delta urges the Commission to reconsider its decision and to adopt the OOB limits proposed by MSV and the U.S. GPS Industry Council for MSS ATC operating in the bands 1525-1559 MHz and 1626.5-1660.5 MHz.

Respectfully submitted,



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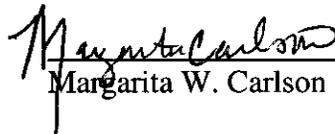
August 20, 2003

⁵ See Letter from Frederick R. Wentland, Acting Associate Administrator, Office of Spectrum Management to Edward Thomas, Chief, Office of Engineering and Technology, IB Docket No. 01-185 at 3 (dated January 24, 2003).

CERTIFICATE OF SERVICE

I, Margarita W. Carlson, hereby certify that on this 20th day of August, 2003, a copy of the foregoing "Comments of Delta Airlines, Inc." was hand delivered to the following:

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