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May 31, 2004

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

Re: IB Docket No. 02-364

Dear Ms. Dortch:

On behalf of Globalstar LLC (“Globalstar”), we write to advise you of the critical disservice to the public, and to Globalstar, that would result from any revision of the current L-Band allocation.

At the outset, we emphasize that any reallocation will have an immediate and material negative impact on Globalstar’s current operations, and customers. While such inappropriate impact will also strangle Globalstar’s opportunity to grow, it is the significant negative impact upon existing operation that we submit warrants primary attention.

We also submit that, after meeting with a multitude of Commission representatives, we are still at a complete loss to understand how any reasoned analysis of the L-Band spectrum shared by Globalstar and Iridium could justify any reallocation of spectrum. After all, Iridium is simply not using any L-Band spectrum in this country, and its use abroad is extremely limited. To the extent that Iridium is facing any capacity limitations, they are not spectrum-based and any technical analysis most certainly justifies no reallocation.

In view of the above, we infer that the option for reallocation is based upon nothing more than a well-intended, but wholly misguided, concept of fairness. Whereas Globalstar does currently occupy more spectrum, measured only in terms of gross MHz, than does Iridium, that incomplete analysis ignores both the many restrictions on use of Globalstar’s spectrum, including restricted use of spectrum due to radio astronomy and aviation, and the fact that the Commission’s actions here must be guided by a reasoned analysis of how efficiently the spectrum is being used. That is the sole criterion set forth in the Commission’s notice of proposed rulemaking in this proceeding. If that proper standard statement is applied, no reallocation of spectrum is warranted.

We are fully cognizant that the Commission has already devoted substantial resources to this proceeding. Yet, we are convinced that the Commission is not now in a position where it can “get it right”. As a result, we respectfully urge that the Commission take the additional time necessary to

do so. A modest deferral will permit the Commission to undertake the efficiency analysis required by the governing notice of proposed rulemaking. Equally important, it will harm no one as Iridium clearly has no present need or use for the spectrum that it would likely obtain by virtue of a reallocation.

Pursuant to Section 1.1206(b)(2), this letter is being filed IB Docket 02-364 over the Commission's Electronic Comment Filing System.

Respectfully submitted,

/s/
James F. Lynch
Thermo Capital Partners, L.L.C.

Respectfully submitted,

/s/
Tony Navarra, President
Globalstar LLC

Enclosure

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