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August 17, 2004

Filed Electronically

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte Presentation*
ET Docket No. 00-258; IB Docket No. 99-81

Dear Ms. Dortch:

To provide a vibrant and robust nationwide service, mobile satellite service ("MSS") operations need enough spectrum to serve consumers and sufficient protection against interference from other services. Just over a year ago, the Commission reduced significantly the spectrum available to MSS in the 2 GHz band. The current allocation – of concern in this letter – is 2000-2020 MHz (uplink). Now, there are proposals to redesignate spectrum in the 1995 to 2000 MHz band to the downlink of an advanced wireless services ("AWS") to create an "H Block" for personal communications service ("PCS") use, thus placing PCS base station operations directly adjacent to MSS operations at 2000 MHz.

TerreStar is the prospective assignee of an MSS authorization and has contracted with Space Systems/Loral for a satellite that will operate in this band. TerreStar believes that this spectrum reallocation could have disastrous consequences because of the significant interference issues that exist between "H Block" PCS operations and MSS operations in the directly adjacent 2000-2020 MHz band. We urge the Commission not to go forward with this proposal.

In the *Third Notice of Proposed Rulemaking* in this docket, the Commission proposed to designate the 1990 to 2000 MHz band for AWS. In response, the Cellular Telecommunications and Internet Association ("CTIA") proposed creating a "G-Block" of PCS spectrum between 1990 to 1995 MHz.[1] Importantly, however, the cellular industry recognized that the operation of MSS above 2000 MHz necessitates a guard band between the proposed PCS operation and the spectrum allocated to MSS; the industry proposed a guard band of 1995-2000 MHz.[2] As

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[1] Comments of CTIA (ET Docket No. 00-258; IB Docket No. 99-81; RM-9911; RM-9498; RM-10024) (Apr. 14, 2003).

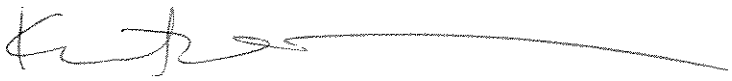
[2] *Id.*; *see also id.* at 3 ("[R]educing the gap between [PCS and MSS] to 0 MHz is not viable under any realistic deployment scenario.")

recently as last month, the cellular industry reiterated that AWS operation in the "H-Block" could cause significant interference with other PCS services and with MSS.[3]

TerreStar has analyzed the potential for interference between PCS operations in the "H Block" and found that interference issues must be resolved before the Commission can even consider authorizing AWS/PCS operation in the "H-Block." Preliminarily, it appears that it is not possible to implement a practical PCS network directly adjacent to MSS operations, as the "H Block" proposals would require, under current technological standards for PCS operations. Specifically, unacceptably high levels of overload interference to the satellite receiver front-ends of TerreStar's already-contracted-for satellites would result from a commercially feasible deployment of PCS base stations in the 1995-2000 MHz band. In addition, out-of-band emissions from PCS base station carriers will cause significant interference into the 2 GHz satellite uplink in TerreStar's system. With further study, it *may* be possible to authorize *some* "H-Block" AWS/PCS operation if significant base station limitations and other technological protection measures are implemented. But it is presently beyond question that the Commission cannot create an "H-Block" until these substantial questions are resolved without causing significant risk to interference with MSS operations, just as those operations are being deployed.

This is now the second time in as many years that the FCC has considered changes to the MSS spectrum band. Because of the long lead times associated with satellite construction, the satellite industry needs absolute certainty about the band, its technical requirements, and the interference conditions of operation. Our "base stations" are far out of our reach the instant they are deployed. Moreover, the Commission's milestone process makes it impossible for a satellite operator to simply delay a launch to accommodate a changed technical requirement. TerreStar urges the Commission to examine this issue thoroughly and to adopt a band plan that is functional, fair, and fixed.

Respectfully submitted,



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[3] Letter from Paul Garnett, CTIA, to Marlene Dortch, FCC (ET Docket No. 00-258) (July 29, 2004).