SAGEM

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September 7, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

RE: Comments in IB Docket No. 02-364

Dear Chairman Powell:

Sagem Avionics, Inc. is submitting this letter to comment on the proposals in the Further Notice of Proposed Rulemaking in the FCC's IB Docket No. 02-364, "Review of the Spectrum Sharing Plan Among Non-Geostationary Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands," released July 16, 2004.

Sagem Avionics, Inc. hereby explains why the FCC must not require additional spectrum sharing between the Globalstar and Iridium Mobile-Satellite Service ("MSS") systems. For the reasons outlined below, Sagem Avionics, Inc. most strongly requests that the FCC take no further action to encumber access to spectrum currently assigned to the Globalstar system for CDMA Big LEO MSS.

The following facts form the basis for Sagem Avionics, Inc.'s position opposing the proposed further sharing between Globalstar and Iridium:

- Sagem Avionics, Inc. designed, built, and brought to market an aviation qualified, Globalstar-based, satellite telephone product – the RCOM-100 SatPhone (FCC Type Certification FEF-453-8050).

- Sagem Avionics, Inc. has a significantly large number of these satellite phones installed aboard our customer's aircraft. These aviation satellite phones provide vital communications links to the aircraft owners.

- Sagem Avionics, Inc. invested a considerable amount of its Research & Development ("R&D") budget to qualify the RCOM-100 SatPhone to meet Federal Aviation Administration ("FAA") and FCC requirements. These constraints include performance

- requirements for aviation-qualified telecommunications systems developed by RTCA, Inc. for the FAA.

- To meet the out-of-band ("OOB") emissions requirements enforced by RTCA Documents DO-262 and DO-228, the RCOM-100 SatPhone operates only within Globalstar channels 6, 7, 8, and 9, that are only above 1616.265 MHz, the bottom frequency edge of Channel 6. These OOB emissions requirements were developed by RTCA to protect the Global Navigation Satellite Systems, GPS and GLONASS.

- In the Further Notice of Proposed Rulemaking, the FCC has asked whether it would serve the public interest to allow the Iridium TDMA MSS system to operate in all these channels, down to 1616 MHz, on a shared basis with the Globalstar CDMA system.

- Allowing Iridium terminals to operate in these channels will subject Sagem's and Globalstar's aviation service customers to unacceptable and damaging interference.

- The requirements of RTCA DO-262 and DO-228 required Sagem Avionics, Inc. to utilize a state-of-the art frequency filter in the RCOM-100 SatPhone to meet OOB emission limits.

- Sagem Avionics, Inc. is unaware of any filter able to provide protection to the level that would be required in order for the RCOM-100 SatPhone to adequately operate in frequencies co-utilized by both Globalstar and Iridium and also to meet the same requirements of the RTCA documents. Even if such filters exist or could be developed, the costs of retrofitting the existing SatPhones would be prohibitive.

- For example, the Department of Homeland Security has a fleet of aircraft that use the RCOM-100 SatPhones to transmit photo imagery of offshore maritime and other activities to various intelligence and operational agencies in protection of our national security. Sagem Avionics, Inc. is dedicated to continuing to provide quality service to these customers. The FCC's proposed sharing plan, if adopted, would result in degraded quality of service to users of the Sagem Avionics, Inc. RCOM-100 SatPhone. All our customers demand and deserve continued excellent quality of service provided over the Globalstar system.

- Adopting the proposed sharing plan to allow Iridium users to co-use portions of what is now the Globalstar unencumbered frequency assignment will severely degrade the quality of service to Sagem Avionics, Inc. users. This is unacceptable to Sagem Avionics, Inc. and to its users, which include the Department of Homeland Security.

- Moreover, if the FCC adopts the proposed spectrum sharing plan, Sagem Avionics, Inc. would incur severe and negative financial impact.

Accordingly, Sagem Avionics, Inc. strongly urges the FCC to reject any proposal for additional sharing down to 1616 MHz between the Globalstar and Iridium MSS systems.

Respectfully submitted,

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