

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In re application of)	
)	
U.S. Leo Services, Inc.)	File No. 423-DSE-P/L-96
)	
For blanket authority to construct and operate up)	
to 200,000 portable handheld earth stations for)	
use with the IRIDIUM System in the 1616-1626.5)	
MHz band)	

MEMORANDUM OPINION AND ORDER

Adopted: April 12, 2002

Released: April 12, 2002

By the Chief, International Bureau:

1. TRW Inc. filed a "Petition for Clarification and/or Reconsideration" of the grant of authority to U.S. Leo Services, Inc. ("U.S. Leo") for operation of the Iridium mobile satellite system's handheld earth terminals.¹ The Iridium system provides two-way voice communication via non-geostationary satellites. The Iridium handset license authorizes transmission on assigned frequencies in the 1621.35-1626.5 MHz band. At the time it filed the petition for reconsideration, TRW was one of four companies licensed to operate in the adjacent 1610-1621.35 MHz band.² For the reasons that follow, we deny TRW's petition.

2. *Out-of-band emissions limit.* U.S. Leo represented in its application that the Iridium handsets' out-of-band emissions in the adjacent 1610-1621.35 MHz band would not exceed limits specified in a draft standard published by the European Telecommunications Standards Institute ("ETSI") in April, 1996.³ The International Bureau expressly conditioned the license grant on adherence to the limits identified by U.S. Leo.⁴

3. TRW points out that ETSI published a revised version of the draft standard shortly before the Bureau issued the *Handset Order*. TRW asks the Bureau to resolve an alleged ambiguity in the license terms by ruling that the Iridium handsets must meet the limits specified in the later publication. In opposition, U.S. Leo argues that there is no justification for the requested ruling, as TRW admits that the difference between the successively-published draft standards has no material bearing on the sufficiency

¹ *U.S. Leo Services, Inc.* (Order and Authorization), 11 FCC Rcd 20474 (1996) ("*Handset Order*"). U.S. Leo later assigned the handset license to an affiliated company, see File No. 1044-DSE-AL-98, granted July 31, 1998. The Commission subsequently approved a further assignment of the license to new owners pursuant to a bankruptcy sale. *Space Station System Licensee, Inc., et al.* (Memorandum Opinion, Order and Authorization), DA 02-307 (rel. Feb. 8, 2002).

² *TRW Inc.* (Order and Authorization), 10 FCC Rcd 2263 (1995). TRW has since surrendered its authorization.

³ See letter amendment to 423-DSE-P/L-96 filed May 20, 1996.

⁴ *Handset Order* at 20479 ¶13 and 20481 ¶18.

of protection for mobile satellite systems in the 1610-1621.35 MHz band.⁵

4. The license condition requiring adherence to out-of-band emission limits pertains to the limits detailed in the April 1996 publication, which U.S. Leo reproduced in a May 20, 1996 application amendment. By the terms of its amended application, U.S. Leo simply proposed to meet those particular limits, regardless of their subsequent status in ETSI proceedings. We find that there is no ambiguity as to the limits that U.S. Leo must meet, and TRW has not shown that there is any justification for changing the required limits on reconsideration.

5. *Prevention of violations.* The *Handset Order* authorized U.S. Leo to construct handsets capable of operating in the 1616-1626.5 MHz band, but limited domestic operation of those terminals to the 1621.35-1626.5 MHz band.⁶ TRW urges the Bureau to declare that if improper Iridium handset operation is detected U.S. Leo will be immediately required to take any step necessary to prevent further violations, even if that would necessitate shutting down the Iridium system. In the alternative, TRW asks the Bureau to reconsider its decision to allow Iridium handsets to be constructed with the capability of transmitting on frequencies below 1621.35 MHz.

6. The Commission will take appropriate actions in response to any complaint that Iridium handsets are operating in violation of FCC rules or the terms of the license. We see no need to further address at this point potential remedies for hypothetical violations.

7. TRW's alternative request for reconsideration of the *Handset Order*'s authorization to construct handsets with the capability of operating in the 1616-1621.35 MHz band is untimely. In the Big LEO rulemaking, the Commission declared that licensees would be permitted to construct systems "capable of operating across the entire band allocated for [the] system architecture, that is, . . . 1616-1626.5 MHz for [a system with the Iridium system's characteristics]."⁷ TRW did not seek reconsideration concerning this issue, and has not presented any argument to justify departing from that policy.

8. Accordingly, IT IS ORDERED that the Petition of TRW, Inc. for Clarification and/or Reconsideration in Part IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Donald Abelson
Chief, International Bureau

⁵ TRW stated that the later publication "is not believed to be materially different from the earlier . . . document." Petition of TRW Inc. for Clarification and/or Reconsideration in Part, filed Dec. 26, 1996, at p.2.

⁶ *Handset Order* at 20481 ¶¶ 17 and 18.

⁷ *Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to a Mobile Satellite Service in the 1610-1626.5/2483.5-2500 MHz Frequency Bands* (Report and Order), 9 FCC Rcd 5936 at 5958 ¶52 (1994). See also *TRW, Inc., supra*, 10 FCC Rcd at 2266 ¶¶ 23-24 (authorizing TRW to construct a system capable of operating uplinks throughout the 1610-1626.5 MHz band, but limiting uplink operations to the 1610-1621.35 MHz band).