

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

In the Matter of)
)
LightSquared Technical Working Group Report) IB Docket No. 11-109
)

ORDER

Adopted: February 29, 2012

Released: February 29, 2012

By the Chief, International Bureau:

1. LightSquared Subsidiary LLC (“LightSquared”) requests an extension of time, until March 30, 2012, in which to file comments in response to the public notice in this proceeding released on February 15, 2012 (“*Public Notice*”).¹ The *Public Notice* invited comment on a letter from the National Telecommunications and Information Administration (“*NTIA Letter*”) concerning the results of additional government testing of the potential interference effects of communications equipment that LightSquared seeks authority to operate.² The *Public Notice* also invited comment on certain proposals. First, vacatur of a conditional waiver of the Ancillary Terrestrial Component (ATC) “integration” requirement previously granted to LightSquared,³ due to LightSquared’s inability to address satisfactorily the legitimate interference concerns surrounding its planned terrestrial operations, and the appearance that the Interference Resolution Process mandated by that waiver grant has no realistic prospect of being successfully completed by LightSquared in a reasonable period of time. And second, modification of LightSquared’s satellite license pursuant to Section 316 of the Communications Act⁴ to suspend indefinitely LightSquared’s underlying ATC authorization, first granted in 2004, to an extent consistent with the *NTIA Letter*. The *Public Notice* specified a deadline of March 1, 2012 for filing comments.

2. LightSquared contends that the comment period established by the *Public Notice* is inadequate, in view of the depth and volume of the new information presented in the *NTIA Letter* and attached exhibits, which comprise more than 300 pages of technical analysis and test results. LightSquared also maintains that grant of the requested extension of time would not be prejudicial to any party because it has not commenced ATC operation. The Coalition to Save Our GPS (the

¹ Motion for Extension of Time filed on Feb. 23, 2012; *Public Notice*, “International Bureau Invites Comment on NTIA Letter Regarding LightSquared Conditional Waiver” (“*Extension Motion*”), IB Docket No. 11-109, DA 12-214.

² Letter from Lawrence E. Strickling Assistant Secretary for Communications and Information, U.S. Dept. of Commerce, to Julius Genachowski, Chairman, FCC (dated Feb. 14, 2012) (“*NTIA Letter*”), available at <http://apps.fcc.gov/ecfs/document/view?id=7021860324>.

³ See *LightSquared Subsidiary LLC, Request for Modification of its Authority for an Ancillary Terrestrial Component, Order and Authorization*, 26 FCC Rcd 566 (Int’l Bur. 2011).

⁴ 47 U.S.C. § 316. The Bureau noted that in the event we decide – after evaluating the public comment received in response to the *Public Notice* – to modify LightSquared’s license, our order of modification would not become final until after LightSquared has been given an additional period of time to protest, pursuant to the requirements of Section 316(a).

“Coalition”) opposes the motion for extension, contending that LightSquared has already participated to some extent in the testing process and, further, that there is no valid reason for departure from the Commission’s general policy that filing periods shall not be routinely extended.⁵ Even so, the Coalition does not oppose a 10 day extension of the comment period, so long as it is afforded a seven calendar day opportunity to reply to any new technical material filed by LightSquared.⁶

3. Given the overall record in this case, we find that a brief extension is warranted to afford LightSquared and other interested parties a more complete opportunity to assess the new information in the *NTIA Letter* and address the issues framed in the *Public Notice*. We agree that granting an extension will be non-prejudicial.

4. Accordingly, IT IS ORDERED that LightSquared’s Motion for Extension of Time IS GRANTED IN PART, and the time for filing comments in response to the *Public Notice* IS EXTENDED to March 16, 2012.⁷ Reply Comments should be filed by March 30, 2012.

FEDERAL COMMUNICATIONS COMMISSION

Mindel De La Torre
Chief, International Bureau

⁵ Opposition to Motion for Extension of Time filed Feb. 24, 2012 at 1 (citing 47 C.F.R. § 1.46(a)).

⁶ *Id* at 3.

⁷ LightSquared states that “under the Communications Act, public notice periods are routinely a minimum of 30 days where an entity’s fundamental license is placed at risk of revocation or modification.” *Extension Motion* at 4-5. The 15 day extension granted here ensures that LightSquared will have been given a full 30 day period of time to address the matters raised in the *Public Notice*. Further, given the 30 day comment period now being given to LightSquared, we also will expand from seven to 15 calendar days the period afforded to parties interested in responding to comments.