



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FOR IMMEDIATE RELEASE  
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## **FCC INITIATES RULEMAKING ON FLEXIBILITY IN DELIVERY OF MOBILE SATELLITE SERVICES**

Notice Adopted in Response to Industry Proposals

Washington, D.C. -- Today the Federal Communications Commission (Commission) adopted a Notice of Proposed Rulemaking (Notice) seeking comment on proposals to bring flexibility to the delivery of communications by mobile satellite service (MSS) providers. The Commission initiated this proceeding as a result of proposals submitted by two MSS operators to incorporate a wireless "ancillary terrestrial component" (ATC) into their MSS satellite networks.

In initiating the proceeding, the Commission recognized that the potential long-term benefits of MSS such as deployment of broadband services to rural areas merit consideration of the ATC proposal. New ICO Global Communications (Holdings) Ltd. (New ICO) and Motient Services, Inc. (Motient) have proposed this use in filings with the Commission. These parties contend that although a satellite system is ideally suited to serve rural areas, it is technically more difficult for MSS systems to deliver service in urban areas where satellite signals may be blocked.

The Commission did not state tentative conclusions in the *Notice* but seeks comment on approaches by which the Commission may permit more flexible use of MSS spectrum. The Commission recognized that this concept raises new issues regarding allocation and licensing of spectrum-based services, particularly different approaches for licensing satellite and terrestrial services. The Commission said that it intends to establish a record on a variety of policies and economic and technical issues raised by the New ICO and Motient proposals, including potentially innovative ideas that may result in improved quality and availability of services to the public.

The *Notice* seeks comment on the industry filers' claims that allowing terrestrial operations in conjunction with MSS networks is important to ensure the commercial viability of MSS systems and to promote the Commission's goal of bringing access to advanced communications services to rural and underserved areas of the country. It asks whether and how the Commission might bring flexibility in MSS spectrum either by:

- (1) permitting 2 GHz and L-band MSS operators to provide service in areas where the MSS signals are attenuated by integrating terrestrial operations with their networks using assigned MSS frequencies, as has been proposed by two operators; or
- (2) opening up portions of the 2 GHz and L-bands for any operator to provide terrestrial services that could either be offered in conjunction with MSS or as an alternative mobile service.

The Notice also seeks comment on whether the preliminary approaches outlined for possible terrestrial operations in the 2 GHz band also could be adopted for satellite operations in the Big LEO (Low Earth Orbit) bands, given the similarity between these systems and MSS operations in the 2 GHz and L-band MSS services.

In addition, the Commission sought comment on:

- the policy basis for permitting use of MSS spectrum for terrestrial operations;
- conditions to ensure terrestrial services integrated into an MSS network remains ancillary to the satellite services provided by MSS operators;
- alternative approaches to use MSS spectrum on an ancillary basis such as making spectrum available to other operations to provide terrestrial service in conjunction with the MSS systems or on a stand-alone basis;
- licensing requirements for ancillary use by MSS operators;
- technical rules relating to protection of adjacent channel and intra-band operations as well as restrictions on tower heights and transmit powers; and
- implications on current rules in place for relocation and reimbursement for broadcast auxiliary services.

The specific proposals filed were by: New ICO for operating in the 2 GHz band (1990-2025/2165-2200 MHz) band; and Motient for operating in the L-band (1525-1559/1626.5-1660.5 MHz). (On July 17, 2001, the International Bureau authorized eight satellite systems, including New ICO, to use spectrum in the 2 GHz band; those authorizations did not address the New ICO petition at issue in this proceeding.)

Action by the Commission August 9, 2001, by Notice of Proposed Rulemaking (FCC 01-225). Chairman Powell, Commissioners Tristani, Abernathy, Copps and Martin.

For further information contact: James L. Ball, Associate Chief, International Bureau (202) 418-0427, or Breck Blalock, Deputy Chief, Planning and Negotiations Division, International Bureau (202) 418-8191.

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ET Docket No. 95-18