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May 4, 2011

Chairman Julius Genachowski
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Genachowski,

I am writing to bring your attention to concerns about a conditional waiver that was recently approved by the Federal Communications Commission (FCC) on behalf of the LightSquared company. The spectrum that was repurposed for LightSquared is directly adjacent to that utilized by the Global Positioning System (GPS) and is to be used for high-powered ground-based transmissions. Many companies have expressed their concerns about this repurposing, including TopCon Positioning in Alameda County, which employs constituents residing in my Congressional district.

I have heard concerns from many companies that utilize GPS signals to produce applications used in a myriad of fields, including satellite design, software engineering, and telecommunications development. These applications are used by industry and government agencies alike.

Many companies rely on GPS signals, which are weak. Any interference with these signals can cause their failure, and LightSquared's signals are vastly more powerful than GPS signals. It is my understanding that LightSquared did not go through the normal process for spectrum reallocation, which involves interference studies. GPS users are understandably concerned that granting a final waiver to LightSquared without considering interference to adjacent spectrum could potentially cause serious damage to their businesses.

I request that you require an objective, comprehensive interference study before granting a final waiver to LightSquared in order to make sure that GPS signals are fully protected. It is crucial to TopCon and many other employers that the spectrum reallocation rules administered by the FCC are applied fairly and sensibly so that all businesses receive equitable treatment. I believe that a mutually beneficial solution to this issue can be found to the satisfaction of all stakeholders.

Thank you for keeping my concerns in mind as you make a final ruling.

Sincerely,

Jerry McNerney
Member of Congress

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