

STATEMENT OF
COMMISSIONER MICHAEL J. COPPS

Re: *Globalstar Licensee LLC Application for Modification of License for Operation of Ancillary Terrestrial Component Facilities, Order and Authorization*

Today's item provides a satellite licensee with a temporary waiver of the Commission's gating criteria and technical rules related to ancillary terrestrial component (ATC) authority. The net effect of our ruling is to ensure that the licensee and its business partner can take advantage of a \$267 million loan commitment by the Department of Agriculture's Rural Development Utilities Program. This funding will support WiMAX-based wireless broadband coverage in 546 rural communities by 2013. Of particular importance, our waiver is strictly time-limited—the licensee must update its satellite system by mid-2010 and provide consumers with updated handsets by mid-2011. In fact, if the companies are unable to meet the benchmarks imposed by today's waiver, or the terms of the Department of Agriculture's loan, the waiver and loan will both automatically terminate.

I do want to emphasize that my decision in this matter does not change my long-held belief that ancillary terrestrial component service by satellite providers ***must remain ancillary***—in other words, when it comes to ATC, the tail cannot be allowed to wag the dog. But the practical reality is that if the Commission were to strictly enforce its ATC regulations in this matter—rather than grant a temporary waiver—the rural communities at issue here would not be able to benefit from the Department of Agriculture's \$267 million rural broadband loan. In my view, the problems of broadband unavailability in America's rural areas are just too pressing and too grave to accept delay.