

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

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

In this Order and Authorization, we determine that a limited waiver of certain of our gating criteria and technical rules will greatly serve the public's interest by allowing for the deployment of a broadband service to millions of rural Americans who now have little or no access to broadband. Indeed, once fully deployed, it is expected that the Ancillary Terrestrial Component (ATC) coverage contemplated by this authorization will extend to 546 communities in seventeen states. This limited waiver furthers the Commission's goals of facilitating the provision of broadband service to rural areas of the country consistent with the \$267 million loan commitment from Department of Agriculture's Rural Development Utilities Program.

I write separately to reaffirm my commitment to the integrity of our rules that require Mobile Satellite Services (MSS) licensees to comply with gating requirements, which I have always strongly supported. As I've previously stated, we should not allow an MSS system with an ancillary terrestrial component to evolve into a terrestrial system with an ancillary mobile satellite component. In this unique instance, unanticipated and unforeseeable technical problems resulted in degraded performance of satellites on the S Band that impaired their ability to do continuous and reliable two-way communications. The determination we make here is a narrow one, one that is limited to a date certain, and one that is terminable if the compliance deadlines are not met. Indeed by July 2010, Globalstar must fully meet coverage requirements and by July 2011, must provide two-way MSS to customers equipped with dual-mode MSS-ATC terminals.

For these reasons, I believe our decision today carefully weighs the public interest benefits of much needed broadband deployment to the rural parts of our nation with our important ATC gating requirements. The provision of broadband to rural Americans is of the utmost importance and warrants a limited waiver in this case, but it is also important that the limited waiver remains exactly that—limited.