The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Mr. Chairman:

We write to express concern about a conditional waiver that the International Bureau granted in January 2011 after an abbreviated public-notice process.

The exclusive waiver, for a company named LightSquared Subsidiary LLC, would waive the integrated service rule for its L-Band Mobile Satellite Service license. As a result, LightSquared could dramatically expand the terrestrial use of satellite spectrum that neighbors Global Positioning System (GPS) spectrum. This action has serious implications for all GPS technologies, and could negatively impact millions of Americans. Unfortunately, the FCC has recklessly fast-tracked the waiver process without undertaking appropriate review procedures. The Commission has called on a working group to investigate and report on the potential for GPS interference by June 15. Accordingly, we request that the Commission only approve LightSquared’s waiver if it can be indisputably proven that there will be no GPS interference.

LightSquared intends to build 40,000 high-powered ground transmission stations, which would transmit radio signals one billion times more powerful than GPS signals. Since the intended spectrum usage is immediately adjacent to GPS spectrum, it could lead to severe interference that effectively renders the technology useless. Such interference would have devastating effects on the United States military, emergency responders, aviation, agricultural producers, cellular telecommunications companies, homeland security, transportation, forestry, engineering and construction, land management, disaster management, natural resources, utilities, and individual consumers who rely on GPS for everyday needs.

General William Shelton, the head of the U.S. Air Force Space Command, recently said, “Within three to five miles on the ground and within twelve miles in the air, GPS is jammed by those towers... If we allow that system to be fielded and it does indeed jam GPS, think about the impact. We’re hopeful we can find a solution, but physics being physics we don’t see a solution right now. LightSquared has got to prove that they can operate with GPS and we’re hoping the FCC does the right thing.”

With such significant potential consequences, the FCC should have conducted in-depth studies on the consequences of reallocating the spectrum prior to issuing the conditional waiver. Such an approach would have allowed for significant public comment by all stakeholders. Instead, the FCC granted the waiver with the intention of subsequently testing the effects of repurposing the spectrum. We are concerned that the brief study period arranged by the FCC following the issuance of the conditional waiver does not allow for nearly the consideration necessary for such a far-reaching decision.
Final approval should only be granted if LightSquared can indisputably demonstrate non-interference on GPS usage. We urge the full Commission to weigh in on this matter and allow for additional public comment moving forward. It is incumbent upon LightSquared to unequivocally prove that the proposal will not interfere with GPS spectrum.

We look forward to your prompt response on this matter.

Sincerely,

[Signatures]

[Names]
Pat Tillman
Kim Noes
PT Harris
NY 24
Kurt Schmalk
Craig Hayner
Doug Lerman
Ken Yoder
Hank Johnson
Judy Biggert
McBrooks

Bill Posey
Joe Barton
Erik Buhr
Bill Johnson
Bret Guthrie
JoDe
Jim Inman
Ron Paul
Mike Rogers
Jim Zwick
Aaron Salt

CC:
The Honorable Robert Gates, Secretary, Department of Defense
The Honorable Janet Napolitano, Secretary, Department of Homeland Security
The Honorable Gary Locke, Secretary, Department of Commerce
The Honorable Tom Vilsack, Secretary, Department of Agriculture
The Honorable Ken Salazar, Secretary, Department of Interior
The Honorable Ray LaHood, Secretary, Department of Transportation
Cosigners:

Robert Andrews  
Steve Austria  
John Barrow  
Rick Berg  
Judy Biggert  
Leonard Boswell  
Mo Brooks  
Paul Broun  
Mike Coffman  
Michael Conaway  
Mario Diaz-Balart  
Renee Ellmers  
Chaka Fattah  
Jeff Flake  
Bill Flores  
John Garamendi  
Sam Graves  
Tim Griffin  
Brett Guthrie  
Ralph Hall  
Richard Hanna  
Gregg Harper  
Martin Heinrich  
Randy Hultgren  
Lynn Jenkins  
Bill Johnson  
Hank Johnson  
Timothy Johnson  
Jack Kingston  
Larry Kissell  
Doug Lamborn  
Tom Latham  
Steven LaTourette  
Daniel Lipinski  
David Loebrock  
Billy Long  
Buck McKeon  
Cathy McMorris Rodgers  
Brad Miller  
Candice Miller  
Randy Neugebauer  
Kristi Noem  
Richard Nugent  
Ron Paul  
Stevan Pearce  
Collin Peterson  
Bill Posey  
Reid Ribble  
Ileana Ros-Lehtinen  
Dutch Ruppersberger  
Robert Schilling  
Jean Schmidt  
Aaron Schock  
Kurt Schrader  
Austin Scott  
Adrian Smith  
Steve Stivers  
Mac Thornberry  
Patrick Tiberi  
Paul Tonko  
Niki Tsongas  
Michael Turner  
Timothy Walz  
Lynn Westmoreland  
Rob Woodall  
Kevin Yoder