December 13, 2024

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: IB Docket Nos. 11-109, 12-340; WT Docket No. 19-116; ICFS File Nos. SES-MOD-20151231-00981, SAT-MOD-20151231-00090, SAT-MOD-20151231-00091, SAT-AMD-20180531- 00045, SAT-AMD-20180531-00044, and SES-AMD-20180531-00856

Dear Ms. Dortch:

The undersigned represent a broad cross-section of the federal and commercial users of Global Positioning System ("GPS"), satellite communications, and weather forecasting services that have raised ongoing concerns about the Federal Communications Commission's ("Commission's") 2020 *Ligado Order*.[1] We file this letter to encourage the Commission to request additional information from Ligado Networks LLC ("Ligado") regarding statements in its October 2024 status report[2] claiming that it satisfied the requirement contained in the *Ligado Order* requiring the availability of a compliant dual-mode Mobile Satellite Service/Ancillary Terrestrial Component ("MSS/ATC") capable device in the marketplace by September 30, 2024.[3] Ligado's October Letter contains insufficient detail to demonstrate compliance with the requirement, and the Commission should inquire further to ascertain the validity of the claim.

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[1] Ligado Amendment to License Modification Applications, IBFS File Nos. SES-MOD20151231-00981, SAT-MOD-20151231-00090, and SAT-MOD-20151231-00091, Order and Authorization, 35 FCC Rcd 3772, 3840 ¶ 150 (2020) ("*Ligado Order*" or "*Order*"). The Commission should also decline to adopt rules in the pending rulemaking in the 1675-1680 MHz band in which proposed Ligado deployments would create a material risk of harmful interference to weather forecasting and hydrology services, particularly considering the analysis and recommendations presented in the "Spectrum Pipeline Reallocation 1675–1680 MHz Engineering Study (SPRES) Program Report," and the "Spectrum Pipeline Reallocation Engineering Study – Follow-on Report (SPRES-FO)." *See* Allocation and Service Rules for the 1675-1680 MHz Band, Notice of Proposed Rulemaking, 34 FCC Rcd 3352 (2019); U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Environmental Satellite Data Information Service, Spectrum Pipeline Reallocation 1675–1680 MHz Engineering Study (SPRES) Program Report, Silver Spring, MD: NESDIS, October 2020 (rel. Aug. 2022); U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Environmental Satellite Data Information Service, Spectrum Pipeline Reallocation Engineering Study – Follow-on Report (SPRES-FO), Silver Spring, MD: NESDIS, Aug. 12, 2024 (rel. Nov. 22, 2024).

[2] *See* Letter from Vernon Ross, VP, Legal and Regulatory Affairs, Ligado Networks LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, IB Docket Nos. 11-109 & 12-340 (filed Oct. 22, 2024) ("October Letter").

[3] *Ligado Order*, FCC Rcd at 3840 ¶ 150 (requiring Ligado to "ensure that dual-mode MSS/ATC-capable L-Band IoT devices are available in the marketplace no later than September 30, 2024").

In the October Letter, Ligado stated that it "confirm[ed] the availability of dual-mode MSS/ATC capable L-band Internet of Things ("IoT") devices, consistent with the requirements of Paragraph 150 of the *Order*. Specifically, a dual-mode MSS/ATC-capable L-band device (router) is available, and consistent with the obligations in the *Order*, this device supports both satellite and terrestrial connectivity using Ligado's MSS/ATC L-band spectrum."[4]

"Availability in the marketplace" requires, under the Commission's Rules, that a device comply with the Part 2 marketing rule, specifically 47 C.F.R. § 2.803, which mandates a grant of equipment authorization before a radio can be imported, sold, leased, or offered for sale or lease.[5] A review of the Commission's equipment authorizations in the Commission's EAS database and public Internet searches failed to identify examples of any certified dual-mode equipment or devices available for purchase or lease in the marketplace that operate on the frequencies which Ligado is authorized to use for ATC operations or that match Ligado's description of the device.

Moreover, even if there were an equipment authorization, the mere existence of a certified device does not necessarily mean that the device was "available in the marketplace" by the relevant deadline. Rather, the undersigned submit that the certified device would have to be offered for sale or lease. The lack of specificity in Ligado's October Letter raises serious questions regarding whether the equipment exists and impairs the ability of interested parties to ascertain Ligado's actual compliance with the *Ligado Order*, including whether Ligado met the Paragraph 150 condition.[6]

Given the October Letter's absence of any detail, the undersigned urge the Commission to require Ligado to publicly identify the relevant equipment authorization(s) for the dual-mode equipment and provide details of the manner in which the equipment has been offered for sale or lease to determine whether Ligado is in violation of the *Ligado Order*.[7]

This letter is being filed pursuant to Section 1.1206 of the Commission's rules.[8] Please contact the undersigned with any questions.

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[4] *See* October Letter.

[5] 47 C.F.R. § 2.803.

[6] *See Ligado Order* ¶ 150.

[7] It is important that Ligado's showing of compliance with this requirement be made public because the *Ligado Order*'s reporting requirements are designed to enable the Commission and stakeholders to determine whether Ligado is complying with these conditions. *See Ligado Order* ¶ 150.

[8] 47 C.F.R. § 1.1206.

Sincerely,

Aircraft Owners and Pilots Association
Air Line Pilots Association, International
Airlines for America
ALERT Users Group
Allied Pilots Association
American Geophysical Union
American Meteorological Society
American Weather and Climate Industry Association (AWCIA)
Aviation Spectrum Resources, Inc. (ASRI)
Boat Owners Association of the United States (BoatU.S.)
Coalition of Airline Pilots Associations (CAPA)
Diana Furchtgott-Roth, George Washington University
General Aviation Manufacturers Association (GAMA)
GeoOptics, Inc.
International Air Transport Association
Iridium Communications Inc.
Lockheed Martin
Microcom Environmental
Narayan Strategy
National Agricultural Aviation Association
National Business Airline Association (NBAA)
NetJets Association of Shared Aircraft Pilots (NJASAP)
National Weather Association
Resilient Navigation and Timing Foundation
Space Science and Engineering Center at University of Wisconsin-Madison
The Cargo Airline Association
The Semaphore Group
University Corporation for Atmospheric Research
Urban Regional Information Systems Association (URISA)
USA Rice