

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

In the Matter of	)	
	)	
LightSquared Subsidiary LLC	)	
Request for Modification of Authority	)	File No. SAT-MOD-20101118-00239
For an Ancillary Terrestrial Component	)	
	)	
LightSquared Technical Working	)	IB Docket No. 11-109
Group Report	)	

To: The Commission

**REPLY COMMENTS OF  
AIRCRAFT OWNERS AND PILOTS ASSOCIATION  
AND  
GENERAL AVIATION MANUFACTURERS ASSOCIATION**

The Aircraft Owners and Pilot Association (“AOPA”) and the General Aviation Manufacturers Association (“GAMA”) hereby supplement their initial comments in these proceedings with the submission of these reply comments.<sup>1</sup>

All the evidence submitted to date in this proceeding demonstrates that LightSquared’s proposed operations, as revised on June 30, 2011, would pose a grave threat to all users of the global positioning system (“GPS”) and would be particularly dangerous to the safety of U.S. aviation.<sup>2</sup> Much of this evidence was available before the Commission’s August 1 deadline for initial comments; nonetheless, in their filings on that deadline, LightSquared and its supporters

---

<sup>1</sup> Comments of AOPA and GAMA, File No. SAT-MOD-20101118-00239, IB Docket No. 11-109 (filed Aug. 1, 2011) (“AOPA/GAMA Comments”); *see also* Comment Deadlines Established Regarding the LightSquared Technical Working Group Report, *Public Notice*, IB Docket No. 11-109, DA 11-1133, rel. June 30, 2011 (the “*Public Notice*”).

<sup>2</sup> For those revisions, *see* Letter from Henry Goldberg, counsel for LightSquared Subsidiary LLC, to Marlene H. Dortch, Secretary, FCC, File No. SAT-MOD-20101118-00239, dated June 30, 2011, transmitting Recommendation of LightSquared Subsidiary LLC (the “LightSquared Recommendation”).

have entirely failed to rebut the demonstration of serious harms. Frankly, they do not even acknowledge their existence.

Last month, the Federal Aviation Administration (the “FAA”) released a report concluding that LightSquared’s revised proposal will cost hundreds of lives and billions of dollars and create extremely negative ramifications for America’s aviation system, including the general aviation industry.<sup>3</sup> The month before, RTCA, Inc. concluded that any operation by LightSquared on a lower 10 MHz channel would require further study and that any eventual operations on an upper 10 MHz channel would be incompatible with aviation use of GPS.<sup>4</sup> The Technical Working Group, created pursuant to the FCC’s January 2011 waiver grant to LightSquared, supported RTCA’s conclusions.<sup>5</sup> In addition, the National Space-Based Positioning, Navigation, and Timing Systems Engineering Forum (“NPEF”) examined LightSquared’s proposals and found that LightSquared would cause “immediate deleterious effects on aviation.”<sup>6</sup> Likewise, concrete concerns about the proposal have been raised by representatives of numerous international authorities and organizations.<sup>7</sup>

---

<sup>3</sup> See Federal Aviation Administration, *LightSquared Aviation Impacts* at 3-4, 6-7 (July 12, 2011) (hereinafter, the “FAA Impact Statement”), available at [http://www.insidegnss.com/pdf/07122011\\_FAA\\_-\\_LightSquared\\_Aviation\\_Impacts.pdf](http://www.insidegnss.com/pdf/07122011_FAA_-_LightSquared_Aviation_Impacts.pdf).

<sup>4</sup> See Letter from Margaret Jenny, President, RTCA, Inc., to Marlene H. Dortch, Secretary, FCC, dated June 16, 2011 (submitting for the record RTCA, Inc., *Assessment of the LightSquared Ancillary Terrestrial Component Radio Frequency Interference Impact on GNSS L1 Band Airborne Receiver Operations*, at 51 (June 3, 2011)).

<sup>5</sup> Final Report: 6/30/2011 at 15-16, 27. As stated in the *Public Notice*, a copy of the TWG Final Report is available in IB Docket No. 11-109. *Public Notice* at n.1.

<sup>6</sup> See Letter from Lawrence E. Strickling, Assistant Secretary of Commerce for Communications and Information, to FCC Chairman Julius Genachowski, dated July 6, 2011 (attaching NPEF, *Assessment of LightSquared Terrestrial Broadband System Effects on GPS Receivers and GPS-dependent Applications* (June 1, 2011) (the “NPEF Report”)).

<sup>7</sup> See, e.g., Letter from Giovanni Bisignani, Director General & CEO, IATA, to FCC Chairman Julius Genachowski, File No. SAT-MOD-20101118-00239, dated June 5, 2011; Letter from Roberto Kobeh González, President of the Council, and Raymond Benjamin, Secretary General, International Civil Aviation Organization (“ICAO”), to FCC Chairman Julius

With not only millions of lives but billions of dollars in cargo transport riding on the safety of air flights annually, LightSquared's and its allies' silence in the face of this substantial evidence of aviation harm is baffling and unacceptable. The massive negative impact that the evidence shows that LightSquared's proposed operations will cause warranted some response from LightSquared; instead the Commission has received nothing but silence. LightSquared has utterly failed to take seriously the safety of America's aviation system, and the Commission cannot similarly engage in denial and ignore the serious threats to public safety posed by LightSquared.

In stark contrast to LightSquared's and its allies' silence, aviation industry participants from around the world have affirmed the dire risks to public safety that LightSquared's revised proposal would create.<sup>8</sup> Their comments, coupled with the evidence that already existed before the August 1 comment deadline, overwhelmingly support AOPA's and GAMA's position that the Commission cannot grant LightSquared's requested authorization to operate pursuant to its revised proposal.

---

Genachowski, File No. SAT-MOD-20101118-00239, dated June 13, 2011; Comments of ICAO, IB Docket No. 11-109 (filed July 29, 2011) ("ICAO Comments"); Letter from John Wilde, Chief Executive, European Positioning Navigation and Timing Industry Council, to FCC Chairman Julius Genachowski, dated July 4, 2011; Letter from Heinz Zourek, Director General, Directorate General for Enterprise and Industry, European Commission, to FCC Chairman Julius Genachowski, SAT-MOD-20101118-00239, dated July 19, 2011; Letter from Phillip Reis, President, AOPA Australia, to FCC Chairman Julius Genachowski, dated July 25, 2011; Letter from Tadashi Noumi, Director, Spectrum Management Office, Japan Aerospace Exploration Agency, IB Docket No. 11-109, filed July 28, 2011.

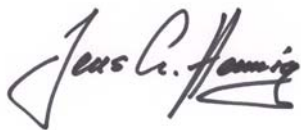
<sup>8</sup> See, e.g., AOPA/GAMA Comments; Comments of Air Line Pilots Association International, IB Docket No. 11-109 (filed July 29, 2011); Comments of United Airlines, IB Docket No. 11-109 (filed Aug. 1, 2011); ICAO Comments; Comments of Rockwell Collins, Inc., File No. SAT-MOD-20101118-00239, IB Docket No. 11-109 (filed Aug. 1, 2011); Comments of Lockheed Martin, IB Docket No. 11-109, File No. SAT-MOD-20101118-00239, at 5-10 (filed July 29, 2011); Comments of Aviation Spectrum Resources, IB Docket No. 11-109 (filed Aug. 1, 2011); Comments of Garmin International, Inc., IB Docket No. 11-109, File No. SAT-MOD-20101118-00239, at 29-38 (filed Aug. 1, 2011); Comments of the Coalition to Save Our GPS, IB Docket No. 11-109, File No. SAT-MOD-20101118-00239, at 14-15, 44 (filed Aug. 1, 2011).

Despite the clarity of the record evidence that LightSquared's revised proposal is unsafe, and despite LightSquared's total failure to rebut any of that evidence, the company continues to claim that a short "standstill" period is all it will need to resolve the remaining interference problems and begin deploying service, ultimately on all 20 MHz of its spectrum.<sup>9</sup> These claims are frankly unbelievable in light of the FAA's estimate that retrofitting America's aviation fleet will take more than a decade and cost billions of dollars – and that is assuming that interference-resistant equipment that has yet to be designed or tested materializes in the near future.<sup>10</sup>

LightSquared's claims seem to increasingly diverge from scientific principles and any reasonable construction of the technical evidence in the record. The Commission should reject LightSquared's rhetoric and accept that there is no evidence that LightSquared can safely implement its revised proposal today, in six months, or at any foreseeable point in the future.

On this record, the Commission should rescind LightSquared's previous authorization, which cannot be safely implemented.

Respectfully submitted,



Jens Hennig  
Vice President, Operations  
General Aviation Manufacturers Association  
1400 K St., NW Suite #801  
Washington, DC 20005-2485  
202-393-1500



Melissa Rudinger  
Senior Vice President, Government Affairs  
Aircraft Owners and Pilots Association  
421 Aviation Way  
Frederick, MD 21701  
301-695-2000

August 15, 2011

---

<sup>9</sup> Comments of LightSquared Subsidiary LLC, IB Docket No. 11-109, File No. SAT-MOD-20101118-00239 at 3, 9, 13 (filed Aug. 1, 2011).

<sup>10</sup> FAA Impact Statement at 5, 7.