October 26, 2016

VIA IBFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re:  Ex Parte Presentation
Higher Ground LLC Application for Blanket Earth Station License
IBFS File No. SES-LIC-20150616-00357; Call Sign E150095

Dear Secretary Dortch:

Mimosa Networks, Inc. (“Mimosa”), by its counsel, files this ex parte letter in response to the application for a blanket earth station license (“Application”) filed by Higher Ground LLC in the above-referenced proceeding.

Mimosa is a pioneer in gigabit wireless technology, developing and deploying innovative point-to-point and point-to-multipoint radio equipment in multiple spectrum bands in the United States and around the globe.

Mimosa takes no position on Higher Ground’s application, and associated waiver requests, to transmit in the 5925 – 6425 MHz C-band uplink (earth-to-space) direction. Mimosa seeks to confirm, however, that any application to operate mobile earth terminals (“METs”) in the 3700 – 4200 MHz C-band downlink (space-to-earth) direction should be explicitly conditioned on such operations being secondary to terrestrial stations operating in that band. In other words, the Commission should explicitly provide that METs operating in the 3700 – 4200 MHz downlink band cannot claim harmful interference from any authorized terrestrial stations, whether such stations are already authorized or may be authorized in the future. This condition is consistent with Section 25.221(a)(10) which provides that C-band earth stations on vessels (“ESVs”) in motion:

shall not claim protection from harmful interference from any authorized terrestrial stations … to which frequencies are already assigned, or may be assigned in the future in the 3700 – 4200 MHz (space-to-Earth) frequency band.
The undersigned has contacted Adam Krinsky and Phuong Pham, counsel for Higher Ground, and they confirmed their understanding that METs operating in the 3700 – 4200 MHz band would be secondary to terrestrial operations in that band.

For the reasons set forth above, Mimosa requests that if the Commission grants the Application that such grant should explicitly provide that the METs must operate on a secondary basis, and cannot claim harmful interference from any authorized terrestrial stations.

Respectfully submitted,

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