February 23, 2011

SUBMITTED ELECTRONICALLY VIA IBFS

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

Re: Notice of Ex Parte Presentation
LightSquared Subsidiary LLC Application for Modification of Authority for Ancillary Terrestrial Component
(File No. SAT-MOD-20101118-00239)

Dear Ms. Dortch:

On February 22, 2011, the United States GPS Industry Council (“GPS Industry Council”), represented by its Executive Director, F. Micheal Swiek, as well as Raul R. Rodriguez (via teleconference) and David S. Keir of Lerman Senter PLLC; Garmin International (“Garmin”), represented by M. Anne Swanson of Dow Lohnes PLLC; and Trimble Navigation, Ltd. (“Trimble”), represented by Russell H. Fox of Mintz Levin, Cohn, Ferris, Glovsky and Popeo, P.C., met with staff members of both the FCC’s Office of General Counsel (“OGC”) and the FCC’s International Bureau (“IB”), each of whom is identified as receiving an electronic courtesy copy of this letter. The application proceeding has been designated “permit-but-disclose” for purposes of the Commission’s ex parte rules.

At the outset, the parties provided an update on the working group process, reporting that to date it has proceeded on a cooperative and constructive basis. The primary topic of discussion was the “Emergency Petition for Immediate Clarification” (“Petition”) filed on February 15, 2011 by the GPS Industry Council seeking Commission guidance on whether the requirements of the Federal Advisory Committee Act (“FACA”) apply to the working group established in the International Bureau’s January 26, 2011 Order and Authorization (“Order”). See LightSquared Subsidiary LLC, DA 11-133, slip op. (Int’l Bur., released January 26, 2011). All legal points and issues raised are contained in the Petition, and all aspects of the Petition were discussed.
Please direct any questions to the undersigned.

Respectfully submitted,

/s/ David S. Keir
David S. Keir
Counsel for the United States GPS Industry Council

cc: Joel Kaufman, OGC
    David Horowitz, OGC
    Julie Veach, OGC
    Paula Silberthau, OGC
    Steven Spaeth, OGC
    Mindel De La Torre, IB
    Roderick Porter, IB
    Robert Nelson, IB
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