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THE FREE STATE FOUNDATION

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Media Advisory

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Contact: Randolph May at 301.984.8253

FSF's Randolph May and Seth Cooper Urge the FCC to Reach a Prompt Decision on Ligado's License Applications

Free State Foundation President Randolph J. May and Senior Fellow Seth L. Cooper submitted [comments](#) today in response to the Federal Communications Commission's request for comments regarding Ligado's spectrum license applications. In light of the valuable L-Band spectrum that has remained unused, FSF's comments urge the Commission to reach a prompt decision on Ligado's applications.

Below are the Free State Foundation's comments submitted today.

The Free State Foundation respectfully submits these Reply Comments regarding Ligado Networks LLC's May 31, 2018, amendment to its spectrum license modification applications. Ligado seeks to modify its L-Band spectrum licenses in order to deploy a hybrid terrestrial-satellite network that will deliver "Internet of Things" (IoT) services and likely accelerate the arrival of 5G networks. The primary purpose of these brief reply comments, along with the attached Appendix A incorporated herein containing a recently published Free State Foundation blog, is to urge the Commission to reach a prompt decision on Ligado's license modification applications.

Ligado's May 2018 amendment to its modification applications advises the Commission of the latest steps it has taken to safeguard aviation Global Positioning System (GPS) devices from claimed signal interference. This is yet another in a series of steps that Ligado has taken over the last several years to constructively resolve potential interference issues that so far have kept valuable L-band spectrum from being put to productive use. The Commission should do all it can to prevent that spectrum from remaining unused. A decision on the merits of Ligado's applications is needed.

There is no gainsaying that the deployment of advanced mobile wireless services like those Ligado proposes should provide substantial public interest benefits. Ligado's proposed satellite/terrestrial mobile hybrid-network is positioned to provide IoT connectivity that can significantly reduce the time and costs of equipment inspections and improve enterprise operational efficiencies. The new network promises to provide "enhanced precision location services" with centimeter-level accuracy for manufacturing and industrial functions. Transportation, energy, electric utility, and public safety

industry sectors would be primary users of Ligado's network and other enterprises would benefit as well.

Consumers would indirectly benefit from the efficiencies and innovations enabled by Ligado's network. As explained in the attached Appendix A, "Time for NTIA and FCC to Act on Ligado's Application for Advanced IoT Network," if approved, the new network could help create up to 3 million jobs and contribute up to \$500 billion in value to our nation's economy.

Acceleration of 5G mobile broadband network deployment is another key public benefit likely to occur if Ligado's modified applications are approved. Ligado would be able to repurpose 40 MHz of its licensed spectrum for terrestrial commercial mobile use. That mid-band spectrum could complement low-band spectrum, yielding improved spectrum efficiencies and capacities, and thereby be ideally suited for 5G.

Ligado's ongoing cooperative efforts with federal agencies and major GPS providers to address signal interference include what is in effect a 23 MHz guard band for GPS services. This, Ligado states, it would achieve by relinquishing its terrestrial mobile service authorization for the spectrum band adjacent to the GPS allocation. Pursuant to its May 2018 amendment, Ligado says it will further reduce downlink power levels to avoid signal interference with certified aviation GPS devices. Additionally, through its amendment Ligado has committed to mitigating potential adverse impact on U.S. government devices. Although Ligado does not expect any such impact in connection with the commencement of operations of its proposed network, it nonetheless has committed to the repair or replacement of such devices as needed.

Ligado's license modification was filed at the Commission back in December 2015. The valuable mid-band spectrum at issue has gone unused since that time, resulting in tremendous lost opportunity cost. Significant progress has since been made to resolve interference claims, including the progress reflected in Ligado's May 2018 amendment. Once NTIA has provided input regarding Ligado's proposed network, the Commission should do all it can to reach a final decision on the application modifications in a timely manner.

Consistent with these reply comments, including the attached Appendix A, the Commission should act on Ligado's amended modification applications as soon as reasonably possible.

A PDF of the Comments submitted is [here](#).

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Randolph J. May, President of the Free State Foundation, is a former FCC Associate General Counsel and a former Chairman of the American Bar Association's Section of Administrative Law and Regulatory Practice. Mr. May is a past Public Member and a current Senior Fellow of the Administrative Conference of the United States, and a Fellow at the National Academy of Public Administration.

Mr. May is a nationally recognized expert in communications law, Internet law and policy, and administrative law and regulatory practice. He is the author of more than 200 scholarly articles and essays on communications law and policy, administrative law, and constitutional law. Most recently, Mr. May is the co-author, with FSF Senior Fellow Seth Cooper, of the recently released [#CommActUpdate - A Communications Law Fit for the Digital Age](#) as well as [The Constitutional Foundations of Intellectual Property](#), and is the editor of the book [Communications Law and Policy in the Digital Age: The Next Five Years](#). He is the author of *A Call for a Radical New Communications Policy: Proposals for Free Market Reform*. And he is the editor of the book, *New Directions in Communications Policy* and co-editor of other two books on communications law and policy: *Net Neutrality or Net Neutering: Should Broadband Internet Services Be Regulated* and *Communications Deregulation and FCC Reform*.

Seth L. Cooper is a Senior Fellow at The Free State Foundation. He previously served as the Telecommunications and Information Technology Task Force Director at the American Legislative Exchange Council (ALEC), as a Washington State Supreme Court

judicial clerk and as a state senate caucus staff counsel. He is an attorney, and he graduated from Seattle University School of Law with honors. Mr. Cooper's work has appeared in such publications as *CommLaw Conspectus*, the *Gonzaga Law Review*, the *San Jose Mercury News*, *Forbes.com*, the *Des Moines Register*, the *Baltimore Sun*, the *Washington Examiner*, the *Washington Times*, and *The Hill*.

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