



December 4, 2020

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

Re: In the Matter of Ligado Amendment to License Modification Applications, IB Docket Nos. 11-109, 12-340; IBFS 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:

In accordance with Section 1.106(f) of the Commission's Rules,¹ this letter seeks leave to file the enclosed Technical Memorandum on behalf of the National Telecommunications and Information Administration (NTIA) in order to supplement its pending *Petition for Reconsideration or Clarification* submitted on May 22, 2020, in the above-referenced matter.²

In its *Petition*, NTIA referenced and summarized the extensive work of NTIA's engineers, in collaboration with FCC and other agency subject matter experts, to evaluate all of the GPS receiver measurement data collected over the years and the impact Ligado's proposed network would have on GPS.³ Well before the adoption and release of the FCC's *Order and Authorization* in this proceeding, NTIA had been coordinating closely with the Departments of Defense and Transportation and other agencies on a draft Technical Memorandum, to which FCC staff had access. However, in light of the comprehensive and complex nature of the document, NTIA was just recently able to garner consensus among the agency members of the Interdepartment Radio Advisory Committee (IRAC) on the final Technical Memorandum.⁴

NTIA urges the Commission to accept this Technical Memorandum as part of the official record in the Ligado proceeding to supplement the *NTIA Petition* and bring to light the "broad stock of valuable information and data developed and analyzed by NTIA and an IRAC working group" referenced therein.⁵

¹ See 47 C.F.R. § 1.106(f), which allows for the filing and consideration of a supplement or addition to a petition for reconsideration which has not been acted upon by the Commission upon leave granted upon a separate pleading for leave to file, which shall state the grounds therefor.

² See *Petition for Reconsideration or Clarification* of the National Telecommunications and Information Administration, IB Docket Nos. 11-109 and 12-340 (May 22, 2020), available at <https://go.usa.gov/xGcyw> (*NTIA Petition*).

³ See *NTIA Petition* at 7, 9, and Drocella Declaration.

⁴ FCC staff were not included in these deliberations nor did they express any views on the final Technical Memorandum.

⁵ *Id.* at 7.

If leave to file is not granted, this letter and the Technical Memorandum are hereby submitted pursuant to the “shared jurisdiction” exception to the Commission’s *ex parte* rules.⁶

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kathy D. Smith". The signature is written in a cursive style with a large initial "K".

Kathy Smith
Chief Counsel

Enclosures

⁶ See 47 C.F.R. § 1.1204(a)(5) note.

CERTIFICATE OF SERVICE

I, Kathy Smith, hereby certify that on this 4th day of December, 2020, I caused a copy of the foregoing letter and enclosed Technical Memorandum to be served via electronic mail on the following:

Gerard J. Waldron, Esq.
Covington
One CityCenter
850 10th Street, NW
Washington, DC 20001
Counsel to Ligado Networks LLC

A handwritten signature in black ink, appearing to read "Kathy Smith".

Kathy Smith
Chief Counsel