

## Message from Curt Sumner, Executive Director, ACSM

Please take the time to look at a number of interesting article lead-ins below.

Among them are a few references related to a Dish Network proposal that is similar to the LightSquared proposal.

Excerpts from those articles include:

“The satellite television company is pushing the FCC to grant it a waiver for land-based mobile broadband service in spectrum currently restricted to satellite use, similar to the hotly contested waiver granted to LightSquared last year.”

“It needs the FCC to grant a waiver, similar to the provisional one obtained by LightSquared, to run terrestrial-only services in a band designated for mobile satellite or hybrid applications. Dish's proposal is seen as less problematic, as the frequencies it acquired last year from bankrupt satellite operators TerreStar and DBSD North America are further away from GPS. But the FCC will certainly be ultra-careful not to approve any plan which could open any other cans of worms, despite the regulator's eagerness to harness the underused mobile satellite bands for wireless broadband. And Dish will need a partner, or additional spectrum, to create a national wholesale broadband system, hence the recent speculation that it might merge with T-Mobile USA or even AT&T.”

Also included below are some statements from Javad Ashjee regarding media reports about his proposed solutions for the interference with GPS created by the LightSquared proposal.

As always, thanks for sharing this information with your respective contact lists.

Curt

## Coalition to Save Our GPS Clips January 25, 2012

Javad Ashjaee explained what he calls “confusions, wrong conclusions, and misleading reports in the media” regarding LightSquared and GPS interference for [The American Surveyor](#), where he proposes questions for journalists to investigate. The same piece is excerpted on [GPS World's](#) website.

The [Washington Business Journal](#) reported that John Koskinen, a former deputy director of the Office of Management and Budget and an expert on public management, weighed in on the LightSquared debate to Federal News Radio:

- "It's always an interesting challenge when you have an independent regulatory agency making a rule that affects the operations of a federal agencies or the areas they're responsible for," said Koskinen. "But ultimately, the regulatory agency is in charge. They're independent for an important reason, which is to keep them free from outside influence."

[The Washington Post](#), [PC Magazine](#), [Wireless Week](#), [The Hill](#), and [The Washington Business Journal](#) continue to report that Senator Chuck Grassley sent a letter to Philip Falcone, asking him to explain “questionable contact” with Grassley’s office by Falcone and another man who claimed to be working for LightSquared.

[Bloomberg](#) updated its story about Grassley’s letter to include information about lobbying expenditures by LightSquared and Trimble.

A [Wireless Week](#) article about a revised roll-out proposal by Dish Network for its planned broadband network notes that the timing of the proposal came just days after officials said there were “no practical solutions” for the GPS interference problem caused by LightSquared, which, among other things, could give Dish the leverage it needs to move forward.

RCA issued a [press release](#) announcing the speaker lineup for its Competitive Carriers Global Expo in March, where LightSquared CEO Sanjiv Ahuja will discuss “disruption and innovation in a 4G world.”

A cite list and links to the full text of these and other articles follow.

1. The Washington Post, Posted at 09:17 AM ET, 01/24/2012, The Circuit: DOJ’s Pozen to resign, Supreme Court rules on GPS, AT&T submits T-Mobile spectrum transfer, By Hayley Tsukayama
2. Bloomberg, January 24, 2012 5:01 AM, Falcone Faces New LightSquared Questions After Grassley's Query
3. American Surveyor, GPS/LightSquared Confusion, Written by JAVAD GNSS, Tuesday, 24 January 2012
4. PC Magazine, Senator Accuses LightSquared of 'Questionable' Lobbying Tactics, By Chloe Albanesius, January 24, 2012 11:05am EST 0 Comments
5. PR Newswire, Carrier CEOs and Industry Thought-Leaders to Discuss 4G in the Competitive Ecosystem During Keynotes at RCA's Competitive Carriers Global Expo
6. Wireless Week, Dish Pitches Revised LTE Plan, By Maisie Ramsay Tuesday, January 24, 2012 Get daily wireless industry top stories and headlines - Sign up now!
7. Wireless Week, Grassley: ‘Questionable Contact’ from LightSquared’s Backer, By Maisie Ramsay, Tuesday, January 24, 2012
8. GPS World, GNSS Manufacturer Refutes Confusion Regarding LightSquared, January 24, 2012
9. Rethink Wireless, Dish may be revving up plans to fill LightSquared gap, Suggests "revised plan" to FCC, and despite lack of detail, many believe that means an accelerated schedule, By CAROLINE GABRIEL, Published: 25 January, 2012
10. TR Daily, SPECTRUM COALITION SEEKS CONDITIONS ON DISH SPECTRUM, 546 words, 24 January 2012
11. Washington Business Journal, Iowa senator: LightSquared supporters pressured me, Staff, 101 words, 24 January 2012
12. Washington Business Journal, Former OMB official weighs in on LightSquared controversy, Staff, 157 words, 24 January 2012
13. COMMUNICATIONS DAILY, January 25, 2012 Wednesday, COMM DAILY(R) NOTEBOOK, SECTION: COMM DAILY(R) NOTEBOOK, LENGTH: 316 words
14. The Hill, Sen. Grassley reports 'unseemly invitation' to Ethics Committee, By Brendan Sasso, 01/24/12 12:12 PM ET

\*\*\*Excerpts/Links to Full Text of Articles\*\*\*

**The Washington Post, Posted at 09:17 AM ET, 01/24/2012, The Circuit: DOJ's Pozen to resign, Supreme Court rules on GPS, AT&T submits T-Mobile spectrum transfer, By Hayley Tsukayama**

Grassley criticizes LightSquared e-mails: Sen. Chuck Grassley (R-Iowa) has written to LightSquared's Philip Falcone to ask for an explanation about why Falcone reached out to the senator's office with what he calls questionable contact.

According to Bloomberg Businessweek, Grassley said that Falcone implied via e-mail that Todd Ruelle, who was claiming to work with LightSquared, told a Grassley staffer that a call center could be placed in Iowa if the network wins approval from the U.S. government. Grassley has been a vocal critic of the proposed satellite broadband network and of the FCC's handling of the approval process.

In an e-mail to Bloomberg, LightSquared denied that Ruelle has worked for LightSquared, Falcone, or Falcone's firm Harbinger Capital Partners as "an employee or a consultant."

To read more click [here](#).

[<Return to top>](#)

**Bloomberg, January 24, 2012 5:01 AM, Falcone Faces New LightSquared Questions After Grassley's Query**

Jan. 24 (Bloomberg) -- LightSquared Inc.'s effort to win support in Washington faces new scrutiny after a U.S. senator questioned hedge fund billionaire Philip Falcone about contacts with the lawmaker's staff.

Grassley said yesterday that Falcone, whose Harbinger Capital Partners hedge fund is LightSquared's main backer, and a telecommunications executive implied that they wanted the lawmaker to "pull punches" in an investigation.

"I won't be part of that," Grassley, an Iowa Republican, said in a letter to Falcone that sought details of Falcone's contacts with the executive.

Grassley is reviewing whether authorities improperly accelerated the Reston, Virginia-based company's partial approval last year. LightSquared's plans to bring high-speed data service to as many as 260 million people need clearance from U.S. officials, who are weighing test results showing interference with the global-positioning system.

Falcone said in an October e-mail that LightSquared could be made "a win" for Grassley, the senator said in his letter. The executive, Todd Ruelle, said in a Jan. 6 telephone conversation with a member of the senator's staff that a call center might be placed in Iowa if the service wins U.S. approval, Grassley wrote.

To read more click [here](#).

[<Return to top>](#)

**American Surveyor, GPS/LightSquared Confusion, Written by JAVAD GNSS, Tuesday, 24 January 2012**

There is widespread confusion regarding the GPS/LightSquared issue. Many people (some intentionally) confuse two issues:

Q1: Are all existing GNSS receivers LightSquared compatible?

A1: No. We showed that our own GNSS receivers had non-optimal filters to create the best results and were not LightSquared compatible. We designed new filters not only to be LightSquared compatible but also to improve the performance of our GNSS receivers. All GNSS receivers that cannot protect against Light Squared, do not have optimal filter and invite extra noise to the receiver that degrades the GNSS performance, even if LightSquared is not deployed.

Q2: Is technology available today to build Light Squared-compatible GNSS receivers?

A2: Yes. We proved this for the most difficult case of high precision GNSS receivers that: 1) use weaker encrypted P-codes and 2) need clean GNSS signal to mitigate multipath and produce millimeter-level positioning results. We presented technical details in two PNT meetings. We also offered 40 units (off the production line) to organizations like NASA, Air Force (AeroSpace) and some GPS manufacturers (John Deere/Navcom) to test for themselves. Our results were also confirmed by the reputable independent laboratory (Alcatel-Lucent). It is several months that we have been manufacturing and selling LightSquared compatible GNSS receivers with filters that are compatible with LightSquared 10L and 10R signals. Soon we will release for 10H also. Please see details in "All About LightSquared" Section of [www.javad.com](http://www.javad.com).

The solution for low-precision, C/A code receivers is straightforward and very inexpensive.

There are lots of confusions, wrong conclusions, and misleading reports in the media. They are results of mixing questions 1 and 2. People test old receivers (Question 1) and conclude that technology to build Light Squared-compatible receivers does not exist today (Question 2).

To read more click [here](#).  
[<Return to top>](#)

**PC Magazine, Senator Accuses LightSquared of 'Questionable' Lobbying Tactics, By Chloe Albanesius, January 24, 2012 11:05am EST 0 Comments**

The LightSquared drama continued Tuesday, with a U.S. senator accusing the company of inappropriate lobbying efforts in order to secure support for its LTE network.

Sen. Chuck Grassley, an Iowa Republican, penned a letter to Philip Falcone of Harbinger Capital Partners yesterday expressing concern about a call and an email to his office that essentially promised favors in exchange for Grassley's support on the LightSquared issue; Harbinger Capital Partners owns LightSquared.

On Oct. 6, for example, Falcone emailed a Grassley staffer to say that he could make LightSquared's success "a win for the Senator."

Later, a person who said he represented LightSquared, Todd Ruelle, called Grassley's office to say that he "only gets paid if this deal goes through" and suggested that Iowa might get a call center if Grassley supported the company's efforts.

In a Jan. 6 email to Ruelle, a Grassley staffer said the call center offer "raises a lot of red flags" and informed him that Grassley's office would conduct an investigation. Ruelle responded that he plays "above board" and supported the investigation.

To read more click [here](#).

[<Return to top>](#)

### **PR Newswire, Carrier CEOs and Industry Thought-Leaders to Discuss 4G in the Competitive Ecosystem During Keynotes at RCA's Competitive Carriers Global Expo**

WASHINGTON, Jan. 24, 2012 /PRNewswire-USNewswire/ -- This year, at RCA's Competitive Carriers Global Expo, the premier event for the competitive mobile ecosystem, executives from Sprint, C Spire Wireless, Cricket, Cellular One, LightSquared, Alcatel-Lucent, NTELOS, and Atlantic Tele-Network will discuss 4G rollouts, new services and emerging trends. RCA's Competitive Carriers Global Expo takes place March 28-30 at Walt Disney World Dolphin Resort in Orlando.

The opening keynote, at 8:30 a.m. on Thursday, March 29, will feature presentations from industry leaders driving the evolution of mobile networks. Bob Azzi, senior vice president, Network, at Sprint will provide an update on Sprint's Network Vision program; Doug Hutcheson, president and CEO of Cricket Communications will discuss the future for competitive carriers and strategies for business growth; Sanjiv Ahuja, CEO of LightSquared will discuss disruption and innovation in a 4G world; and Ken Wirth, president, 4G/LTE Wireless Networks at Alcatel-Lucent, will deliver an update on the progress of LTE deployments globally.

The closing keynote session, at 8:45 a.m. on Friday, March 30, will feature a candid roundtable discussion with competitive carrier CEOs Hu Meena, president and CEO, C Spire Wireless; Jonathan Foxman, president and CEO MTPCS, LLC, d/b/a Cellular One; James Hyde, CEO and president, NTELOS; and Michael Prior, president and CEO, Atlantic Tele-Network. Moderated by Steven K. Berry, president & CEO of RCA – The Competitive Carriers Association, this discussion will focus on the business and policy challenges for competitive carriers competing in a 4G world. This discussion will be followed by a legislative review moderated by RCA General Counsel Rebecca Murphy Thompson, featuring policy experts Ben Moncrief, director, government relations, C Spire Wireless; Julia Tanner, general counsel, MTPCS; Douglas J. Minster, vice president and general counsel, Atlantic Tele-Network; and Matthew Brill, partner, Latham and Watkins, LLP.

To read more click [here](#).

[<Return to top>](#)

### **Wireless Week, Dish Pitches Revised LTE Plan, By Maisie Ramsay Tuesday, January 24, 2012 Get daily wireless industry top stories and headlines - Sign up now!**

Dish Network pitched a revised plan for its yet-unapproved mobile broadband network to FCC officials last week, according to ex parte documents posted Monday to the agency's website.

The satellite television company is pushing the FCC to grant it a waiver for land-based mobile broadband service in spectrum currently restricted to satellite use, similar to the hotly contested waiver granted to LightSquared last year.

Dish acquired the spectrum through its purchase of bankrupt satellite communications companies TerreStar and DBSD North America last year.

During the Jan. 18 meeting, Dish Network Executive Vice President Thomas Cullen and four of its attorneys presented a "detailed proposal" on a "revised buildout schedule keyed to commercial availability of the LTE Advanced standard" to the FCC.

Rick Kaplan, the head of the FCC's wireless bureau, attended the meeting, as did top officials from the agency's international bureau and office of engineering and technology.

To read more click [here](#).

[<Return to top>](#)

### **Wireless Week, Grassley: 'Questionable Contact' from LightSquared's Backer, By Maisie Ramsay, Tuesday, January 24, 2012**

Tensions between Senator Chuck Grassley and LightSquared hit a new high Monday when the lawmaker accused the company's primary backer of trying to bribe him.

The Iowa Republican claims that Harbinger Capital Partners, a hedge fund that has invested \$3 billion in LightSquared, suggested he would get kickbacks if he backed off an inquiry of the company.

Grassley has hounded the FCC about why it granted LightSquared a waiver to deploy a land-based LTE service in spectrum adjacent to GPS bands despite concerns from the NTIA and GPS industry.

Government tests now show that LightSquared's network is incompatible with most GPS receivers, but the company is disputing the results. LightSquared will not be allowed to launch its service until problems with GPS interference are resolved, putting Harbinger's massive investment at risk.

The alleged "questionable contact" consisted of an e-mail from Harbinger founder Philip Falcone to Grassley's office stating that LightSquared "could be made a 'win' for Grassley, LightSquared and the consumer."

To read more click [here](#).

[<Return to top>](#)

### **GPS World, GNSS Manufacturer Refutes Confusion Regarding LightSquared, January 24, 2012**

"Many people confuse two issues regarding GPS and LightSquared," writes Javad Ashjaee in a new post on his company's website. "There are lots of confusions, wrong conclusions, and misleading reports in the media. They are results of mixing questions 1 and 2. People test old receivers (Question 1) and conclude that technology to build Light Squared-compatible receivers does not exist today (Question 2)."

See GPS/LSQ Confusion for the complete text of Ashjaee's answers to the two following questions. Here only the one-word initial answers appear, followed by a few excerpted quotes from the article.

"Q1: Are all existing GNSS receivers LightSquared compatible?

A1: No. [ . . . ]

Q2: Is technology available today to build LightSquared-compatible GNSS receivers?

A2: Yes. [ . . . ]"

To read more click [here](#).

[<Return to top>](#)

**Rethink Wireless, Dish may be revving up plans to fill LightSquared gap, Suggests "revised plan" to FCC, and despite lack of detail, many believe that means an accelerated schedule, By CAROLINE GABRIEL, Published: 25 January, 2012**

Satellite player Dish Network claims it is planning to leap straight to the forthcoming LTE-Advanced standard when it starts to build a network in its mobile satellite spectrum. So some observers got very excited when Dish, in the same week that the ITU confirmed LTE-Advanced as an official IMT-Advanced or 'true 4G' platform, said it would pitch a "revised plan" for its roll-out to the FCC.

However, leaping to the conclusion that "revised" means "accelerated" is premature, especially as details of the new proposals have not been released. The standard was a certainty to get official recognition anyway, and Dish will still have to wait for certified, affordable equipment and devices, something that could take another two years - even though no fewer than four US carriers say they will have some LTE-Advanced installed next year.

More urgently, Dish needs to get FCC approval for its plans, and with rival LTE/satellite player LightSquared looking to be in mortal trouble over its clashes with GPS, the older firm may be trying to enhance its own case by promising rapid deployment to fill the mobile broadband breach. Dish's revisions were also submitted shortly after a government agency issued the opinion that LightSquared would never be able to address its interference issues with GPS (an opinion based on tests which LightSquared denounced as rigged).

It needs the FCC to grant a waiver, similar to the provisional one obtained by LightSquared, to run terrestrial-only services in a band designated for mobile satellite or hybrid applications. Dish's proposal is seen as less problematic, as the frequencies it acquired last year from bankrupt satellite operators TerreStar and DBSD North America are further away from GPS. But the FCC will certainly be ultra-careful not to approve any plan which could open any other cans of worms, despite the regulator's eagerness to harness the underused mobile satellite bands for wireless broadband. And Dish will need a partner, or additional spectrum, to create a national wholesale broadband system, hence the recent speculation that it might merge with T-Mobile USA or even AT&T.

During a meeting last week, Dish's EVP Thomas Cullen and four attorneys presented a "detailed proposal" with a "revised build-out schedule keyed to commercial availability of the LTE-Advanced standard" to the FCC. Further details were not made public, though as WirelessWeek points out, formal

changes to the original plan would have to be put on record, so these are more likely to be part of negotiations over timescales, coverage commitments and other details needed to gain an FCC ruling.

To read more click [here](#).

[<Return to top>](#)

#### **TR Daily, SPECTRUM COALITION SEEKS CONDITIONS ON DISH SPECTRUM, 546 words, 24 January 2012**

Representatives of the Public Interest Spectrum Coalition (PISC) say the FCC should impose conditions on approval of Dish Network Corp.'s acquisition of TerreStar Networks, Inc., and DBSD North America, Inc., and waivers allowing the company's planned network to be used by terrestrial-only devices. The coalition members say the Commission should allow other spectrum users to have access to the Dish S-band spectrum before it is deployed.

"The PISC representatives noted that although the National Broadband Plan recommended use of an incentive auction to recapture value for the public in exchange for enhanced spectrum rights in the S Band, in the alternative obligations comparable to those that apply to LightSquared could yield greater public benefits in the longer term," the coalition said in an ex parte filing yesterday that summarized a Jan. 19 meeting with FCC officials. "The PISC representatives mentioned prior Commission approval for any capacity lease or secondary market transaction involving one of the two largest terrestrial carriers, a wholesale access obligation for a portion of the DISH S Band network capacity (up to 50 percent), and a more rapid and rural-focused buildout requirement as obligations that could justify the granting of a multi-billion dollar waiver of the integrated service rules."

[<Return to top>](#)

#### **Washington Business Journal, Iowa senator: LightSquared supporters pressured me, Staff, 101 words, 24 January 2012**

Sen. Chuck Grassley, R-Iowa, accused backers of LightSquared Inc.'s proposed wireless network on Monday of seeking to pressure him into giving up an investigation into the company's plans, Nextgov reported.

Grassley said comments by Harbinger Capital's Philip Falcone, and another man who claimed to be representing Reston-based LightSquared, could be interpreted as offering benefits in exchange for the senator's support.

To read more click [here](#).

[<Return to top>](#)

#### **Washington Business Journal, Former OMB official weighs in on LightSquared controversy, Staff, 157 words, 24 January 2012**

John Koskinen, a former deputy director of the Office of Management and Budget and an expert on public management, weighed in on the LightSquared Inc. broadband controversy to Federal News Radio.

The Federal Communications Commission recently fast-tracked approval for LightSquared to set up a national broadband network, but a federal panel found the Reston-based company's technology

interferes with GPS signals. "It's always an interesting challenge when you have an independent regulatory agency making a rule that affects the operations of a federal agencies or the areas they're responsible for," said Koskinen. "But ultimately, the regulatory agency is in charge. They're independent for an important reason, which is to keep them free from outside influence."

To read more click [here](#).

[<Return to top>](#)

**COMMUNICATIONS DAILY, January 25, 2012 Wednesday, COMM DAILY(R) NOTEBOOK, SECTION: COMM DAILY(R) NOTEBOOK, LENGTH: 316 words**

The FCC should grant Dish Network its requested waivers that would allow the company to provide terrestrial service in the S-band, said the New America Foundation, Public Knowledge, Consumers Union and Free Press during a meeting with Chief Rick Kaplan and others from the Wireless Bureau (<http://xrl.us/bmpox6>). The group, calling itself the Public Interest Spectrum Coalition (PISC), said a long delay created by considering the waiver as part of a general rulemaking on mobile satellite service bands wouldn't be in the public interest. The FCC also shouldn't wait for Congress to approve incentive auction authority for the S-band, they said.

The agency should follow the precedent created by the LightSquared waiver that included public interest obligations including rapid buildout and requiring FCC approval for sale or leasing of network capacity to the two largest terrestrial carriers, they said. While the commission's National Broadband Plan pointed to incentive auctions as a means toward collecting on the increased value of the spectrum, the public interest obligations "could yield greater public benefits in the longer term," the four groups said. The FCC should require a "use it or share it" condition that would allow other parties to use S-band spectrum, said the PISC. It also said the FCC should intervene and implement a plan, if necessary, to allow LightSquared to begin service that also safeguards GPS services and ask "both parties to share the costs of a long-term transition." The groups want the bureau to take a broad view as it reviews proposed AWS license sales from SpectrumCo and Cox to Verizon Wireless, the PISC said. "The related commercial agreements, under which the four cable companies and Verizon Wireless will resell each other's wireless and cable services, respectively, are integrally related to a public interest analysis of the license transfers."

[<Return to top>](#)

**The Hill, Sen. Grassley reports 'unseemly invitation' to Ethics Committee, By Brendan Sasso, 01/24/12 12:12 PM ET**

Sen. Chuck Grassley (R-Iowa) on Monday accused Harbinger Capital, the hedge fund that has invested heavily in wireless start-up LightSquared, of improperly trying to influence him.

In a letter to Phil Falcone, the billionaire managing director of Harbinger, Grassley said he reported "questionable contact" to the Senate Ethics Committee.

Grassley pointed to an October email sent to his office in which Falcone said LightSquared could be a political "win" for Grassley.

“The last thing I want to do is to make this more political than it already is,” Falcone said in an email. “It doesn’t belong in that arena. However, since we are already there, I believe I can make this into a win for the Senator, Lightsquared and the consumer.”

In a separate incident, Todd Ruelle, chairman and CEO of Fine Point Technology, spoke to one of Grassley's aides on the phone. Ruelle said he “only gets paid if this deal goes through” and that “there will be a call center in the Midwest, possibly in Iowa, if this deal goes through.”

To read more click [here](#).

[<Return to top>](#)

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