

September 7, 2005

Mr. Fernand Léger
Director, Spectrum and Radio Policy
Telecommunications Policy Branch
Industry Canada
Room 1604A
300 Slater Street
Ottawa, Ontario
K1A 0C8

Dear Mr. Léger,

Re: Canada Gazette Notice No. DGTP-001-05 – *Consultation on a Renewed Spectrum Policy Framework for Canada and Continued Advancements in Spectrum Management*

TMI Communications and Company, Limited Partnership ("TMI") is pleased to submit these comments in response to *Canada Gazette*, Part I, Notice No. DGTP-001-05 – *Consultation on a Renewed Spectrum Policy Framework for Canada and Continued Advancements in Spectrum Management* (the "Notice"), published May 2, 2005.

TMI is one of the early pioneers in the provision of mobile satellite services ("MSS") in Canada. In 1996, TMI brought into service the MSAT-1 satellite which currently provides MSS capacity to all regions of Canada as well as coverage to all of North and Central America, plus the northern part of the South American continent. The MSAT-1 satellite is now owned and operated by MSV Canada which is a joint venture between TMI and Mobile Satellite Ventures LP of the United States

Having successfully launched MSS in the L-band, TMI is now focused on developing MSS in the 2 GHz band. In pursuit of this goal, TMI was awarded an Approval-in-Principle by Industry Canada in May 2002 which provides TMI with the authority to launch and operate a 2 GHz mobile satellite that will be used to provide, for the first time, wireless mobile voice and broadband services to small, lightweight and inexpensive consumer handsets literally everywhere in Canada from the moment commercial service is launched – even in the most remote and rural locations of the country. The satellite itself will be the world's largest and most powerful commercial mobile satellite, capable of generating hundreds of spot beams to provide coverage throughout Canada, the 50 United States, and the Caribbean. In conjunction with a planned Ancillary Terrestrial Component ("ATC"), this 2 GHz satellite will communicate directly with consumer handsets that will be comparable in size, cost and features to those available on terrestrial-only networks.

In short, TMI's proposed 2 GHz MSS/ATC system will provide public safety and emergency service agencies with a uniquely valuable communications asset, it will provide reliable broadband services to Canada's most remote locations, and it will expand spectrum reuse, innovation and efficiency to an unprecedented level.

TMI's comments in this proceeding are, for the most part, confined to MSS issues as they relate to the proposals contained in the Notice and, in particular, to the issues of flexibility in the assignment of spectrum and public safety.

Policy Guideline 8 – Priority Communication Services

Industry Canada's proposed Policy Guidelines seek to achieve a number of goals that will enable the development of communications systems that are geographically ubiquitous, fully redundant and reliable, interoperable and have sufficient capacity to carry critical communications services for public safety, emergency preparedness and border security. However, as indicated in the Notice, it is very difficult, if not impossible, to achieve these goals at the present time using existing wireless communications networks. Advanced security applications cannot continue to be dependent on networks with a variety of protocols, varied bandwidth, and competing commercial priorities and products.

In our view, the only communications networks that can fulfill this goal in both the near and long term are hybrid satellite/terrestrial systems such as the 2 GHz MSS/ATC system being planned by TMI and its U.S. partner TerreStar Networks Inc. ("TerreStar"). This system will not only permit public safety and emergency responders to have seamless communications using the same low-cost, broadband-capable device in any emergency anywhere in the country, it will also do so by making the most efficient use and reuse of allocated spectrum which achieves another one of the Department's proposed policy goals.

Events in recent years underscore the need for local, provincial, national and international public safety and emergency response agencies to communicate with each other on an instantaneous basis. They also underscore the important role that mobile satellite services, especially those supplemented by ATC, can play in meeting this policy guideline and objective. Traditional public safety and security applications need to have access on a regularized basis to advanced communications platforms for the types of applications that are needed today. In addition, natural disasters and other events which may trigger unique security requirements will continue to be unpredictable as demonstrated by the forest fires in British Columbia last summer, the Ice Storm in 1998, the floods in Manitoba, and the London subway bombings. As also demonstrated by the recent relief efforts relating to Hurricane Katrina, MSS with an ancillary component can advance the efforts of public safety by providing important geographic coverage and interoperability. In addition, because of the scale and scope that can be achieved by a hybrid satellite terrestrial system, low cost handsets and chipsets will ensure that terminals are readily available to public safety users on a cost effective basis

TMI is aware of the fact that spectrum has been set aside by the Department for priority communications purposes. However, it also believes that the Department should take additional steps to promote the use of spectrum that has been assigned for commercial use for public safety applications and priority communications. As indicated above, commercial systems such as hybrid MSS/ATC systems are ideally suited for these applications and will allow public safety and security entities at federal, provincial and

municipal levels to plan, design and deploy critical advanced security applications without undue delay, complication or excessive cost.

TMI is thus committed to working with the Department and public safety agencies to explore fully the advanced national security, public safety and emergency preparedness applications that can be provided over robust, next generation hybrid satellite/terrestrial networks.

TMI hopes these comments are helpful to the Department in its deliberations on these specific issues identified in the Notice. We would be pleased to provide any further information should the Department require it.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ted H. Ignacy', written in a cursive style.

Ted H. Ignacy
Vice-President, Finance