

S2103 SAT-AMD-20130212-00020
ORBCOMM License Corp.
Orbcomm

IB2013000363

** GRANT IN PART/DISMISS IN PART **



* See attachment

File # SAT-AMD-20130212-00020

Call Sign S2103 Grant Date 05/05/16
(or other identifier)

From 05/05/16 Term Dates License
To: term

Approved: *Stephen J. Duall*
Stephen J. Duall
Chief, Satellite Policy Branch

** see also
SAT-MOD-20111021-00207
SAT-AMD-20151223-00087

Approved by OMB
3060-0678

Date & Time Filed: Feb 12 2013 2:47:28:323PM
File Number: SAT-AMD-20130212-00020

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM

FCC Use Only

FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

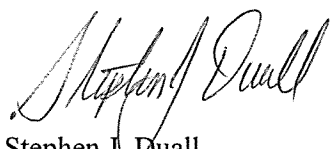
Enter a description of this application to identify it on the main menu:

Amendment, supplement & update of pending Space Segment Modification Application

1-8. Legal Name of Applicant

Name:	ORBCOMM License Corp.	Phone Number:	585-461-3018
DBA Name:		Fax Number:	585-461-3476
Street:	395 West Passaic Street	E-Mail:	sonnenfeldt.walter@orbcomm.com
	Suite 325		
City:	Rochelle Park	State:	NJ
Country:	USA	Zipcode:	07662 -3016
Attention:	Walter H Sonnenfeldt		

ATTACHMENT TO GRANT
ORBCOMM License Corp.

IBFS File No(s):	SAT-MOD-20111021-00207 SAT-AMD-20130212-00020 SAT-AMD-20151223-00087	GRANTED – With Conditions  International Bureau Satellite Division
Licensee/Grantee:	ORBCOMM License Corp.	
Call Sign:	S2103	
Satellite Name:	ORBCOMM Generation 2 (OG2)	
Orbital Location: (required station- keeping tolerance)	Non-geostationary-satellite orbits	
Administration:	United States	
Nature of Service:	Non-voice, non-geostationary mobile-satellite service	
Scope of Grant:	Final milestone extension and determination	
Service Area(s):	Global	
Frequencies:	137-138 MHz (space-to-Earth) 148-150.05 MHz (Earth-to-space) 161-163 MHz (Earth-to-space) 400.15-401 MHz (space-to-Earth) For the particular frequency assignments within these bands, see <i>Applications by Orbcomm License Corp. for Authority to Modify its Non-Voice, Non-Geostationary Satellite System et al.</i> , Order and Authorization, DA 08-633, 23 FCC Rcd 4804, 4813, para. 23 (IB/OET 2008) (2008 Order); <i>ORBCOMM License Corp.</i> , Stamp Grants, IBFS File Nos. SAT-MOD-20111021-00207 et al. (partial grants of Apr. 25, 2013, and Dec. 17, 2015).	
Operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission's rules not waived herein. This grant is also subject to the following conditions: The application of ORBCOMM License Corp. (ORBCOMM) IS GRANTED to the extent it seeks postponement of the final milestone deadline by two years and one month, from March 21, 2014, through April 21, 2016, to launch and operate its second-generation satellites, and otherwise IS DISMISSED as moot. This grant is based on ORBCOMM's April 21, 2016 certification that all of its 17 second-generation satellites have begun commercial operations.		
Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned. This action is taken pursuant to section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release. Station licenses are subject to the conditions specified in section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).		
Action Date:	May 5, 2016	
Term Dates	From: May 5, 2016	To: duration of license term
Approved:  Stephen J. Duall Chief, Satellite Policy Branch		

9-16. Name of Contact Representative

Name:	Walter H. Sonnenfeldt	Phone Number:	585-461-3018
Company:	ORBCOMM License Corp.	Fax Number:	585-461-3476
Street:	395 West Passaic Street	E-Mail:	sonnenfeldt.walter@orbcomm.com
	Suite 325		
City:	Rochelle Park	State:	NJ
Country:	USA	Zipcode:	07662-3016
Attention:		Relationship:	

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b. ☐ a1. Earth Station ☒ a2. Space Station	(N/A) b1. Application for License of New Station (N/A) b2. Application for Registration of New Domestic Receive-Only Station ☒ b3. Amendment to a Pending Application ☐ b4. Modification of License or Registration b5. Assignment of License or Registration b6. Transfer of Control of License or Registration ☐ b7. Notification of Minor Modification (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States (N/A) b10. Other (Please specify) (N/A) b11. Application for Earth Station to Access a Non-U.S.satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States (N/A) b12. Application for Database Entry ☐ b13. Amendment to a Pending Database Entry Application ☐ b14. Modification of Database Entry
17c. Is a fee submitted with this application? ☒ If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R.Section 1.1114). ☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other(please explain):	
17d. Fee Classification CAW – Space Station Amendment(Non-Geostationary)	

18. If this filing is in reference to an existing station, enter: (a) Call sign of station: S2103	19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number: (a) Date pending application was filed: 10/21/2011 (b) File number: SATMOD2011102100207
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TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply: ☐ a. Fixed Satellite ☒ b. Mobile Satellite ☐ c. Radiodetermination Satellite ☐ d. Earth Exploration Satellite ☐ e. Direct to Home Fixed Satellite ☐ f. Digital Audio Radio Service ☐ g. Other (please specify)	
21. STATUS: Choose the button next to the applicable status. Choose only one. ☐ Common Carrier ☒ Non-Common Carrier	22. If earth station applicant, check all that apply. ☐ Using U.S. licensed satellites ☐ Using Non-U.S. licensed satellites
23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities: ☐ Connected to a Public Switched Network ☐ Not connected to a Public Switched Network ☒ N/A	

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

- ☐ a. C-Band (4/6 GHz) ☐ b. Ku-Band (12/14 GHz)
☒ c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: 137

Frequency Upper: 401

(Please specify additional frequencies in an attachment)

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- ☐ a. Fixed Earth Station
☐ b. Temporary-Fixed Earth Station
☐ c. 12/14 GHz VSAT Network
☐ d. Mobile Earth Station
☐ e. Geostationary Space Station
☒ f. Non-Geostationary Space Station
☐ g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY:

- ☐ Transmit/Receive ☐ Transmit-Only ☐ Receive-Only ☒ N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- ☒ a -- authorization to add new emission designator and related service
- ☐ b -- authorization to change emission designator and related service
- ☐ c -- authorization to increase EIRP and EIRP density
- ☐ d -- authorization to replace antenna
- ☐ e -- authorization to add antenna
- ☐ f -- authorization to relocate fixed station
- ☐ g -- authorization to change frequency(ies)
- ☒ h -- authorization to add frequency
- ☐ i -- authorization to add Points of Communication (satellites & countries)
- ☐ j -- authorization to change Points of Communication (satellites & countries)
- ☐ k -- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- ☒ l -- authorization to change orbit location
- ☒ m -- authorization to perform fleet management
- ☒ n -- authorization to extend milestones
- ☐ o -- Other (Please specify)

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

☐ Yes ☒ No

ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?

☐ Yes ☒ No

30. Is the applicant an alien or the representative of an alien?

☐ Yes ☒ No ☐ N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

☐ Yes ☒ No ☐ N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

☐ Yes ☐ No ☒ N/A

33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

☐ Yes ☐ No ☒ N/A

34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

☒ Yes ☐ No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

☐ Yes ☒ No

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.	☐ Yes ☒ No
38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances	☐ Yes ☒ No
39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.	☐ Yes ☒ No
40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.	

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.

☒ Yes ☐ No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.

☐ Yes ☒ No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Amendment, supplement, and update of ORBCOMM application for authorization to modify the ORBCOMM NVNG MSS space segment license (FCC Call Sign S2103) to clarify the proposal to add a feeder uplink channel, revise the ORBCOMM Generation 2 satellite deployment plan, and amend the pending request for milestone waiver or modification.

Narrative Exhibit

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

☒ A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

☐ B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

☐ C

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- ☐ Individual
- ☐ Unincorporated Association
- ☐ Partnership
- ☒ Corporation
- ☐ Governmental Entity
- ☐ Other (please specify)

45. Name of Person Signing
Marc J. Eisenberg

—>

46. Title of Person Signing
Chief Executive Officer

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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