

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
O3b Limited)	File No. SAT-AMD-20171109-00154
)	Call Sign: S2935
Amendment to Pending Applications for)	
U.S. Market Access for the)	
O3b Medium Earth Orbit Satellite System)	

OPPOSITION OF O3B LIMITED TO PETITION FOR PARTIAL RECONSIDERATION

O3b Limited (“O3b”) hereby opposes the Petition for Partial Reconsideration submitted by Iridium Constellation LLC (“Iridium”),¹ which asks that the Commission revise its recent grant expanding the U.S. Market access for O3b’s non-geostationary satellite system to include Mobile-Satellite Service (“MSS”) operations.² Because the Iridium filing is procedurally flawed and substantively without merit, the Commission should summarily dismiss the Petition pursuant to Section 1.106(p) of the rules.³

In its Petition, Iridium for the first time suggests that the Commission should impose an additional condition on O3b’s use of spectrum for MSS and MSS feeder links, making such operations subject to the outcome of future rulemaking proceedings.⁴ Under the Commission’s rules, a petition for reconsideration may not rely on “facts or arguments not previously presented to the Commission” unless it explains why the petitioner could not have reasonably raised such

¹ Iridium Constellation LLC Petition for Partial Reconsideration, IBFS File No. SAT-AMD-20171109-00154 (filed July 6, 2018) (“Petition”).

² See *O3b Limited*, Order and Declaratory Ruling, FCC-18-70 (rel. June 6, 2018) (“O3b Order”).

³ 47 C.F.R. § 1.106(p).

⁴ Petition at 1-2.

matters previously or presents a strong public interest showing for consideration of the new material.⁵

The Petition does neither. Iridium makes no attempt to explain why none of the multiple pleadings it submitted regarding O3b's request for MSS authority,⁶ including filings addressing the draft order detailing the terms on which the Commission intended to grant such authority,⁷ contains any suggestion that the Commission should add the condition proposed in the Petition. Moreover, Iridium offers absolutely no public interest justification for the Commission to entertain Iridium's belated arguments. Under these circumstances, the Iridium petition "plainly do[es] not warrant consideration by the Commission"⁸ and is therefore subject to dismissal.

Were the Commission nevertheless to review the Petition on its merits, that would not change the required outcome because Iridium fails to show a need for the added condition it seeks. The O3b Order includes a provision explicitly stating that "this grant of U.S. market access and any earth station licenses granted in the future are subject to modification to bring them into conformance with any rules or policies adopted by the Commission in the future."⁹ Iridium offers no reason why the Commission should supplement that broad provision with an additional condition specific to future proceedings involving MSS spectrum.

⁵ 47 C.F.R. § 1.106(c).

⁶ *See, e.g.*, Iridium Petition to Deny, IBFS File No. File Nos. SAT-AMD-20171109-00154 *et al.* (filed Dec. 26, 2018).

⁷ *See, e.g.*, Letters from Joseph A. Godles, Counsel to Iridium Constellation LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, IBFS File Nos. SAT-MOD-20160624-00060 *et al.* (filed May 31, 2018).

⁸ 47 C.F.R. § 1.106(p).

⁹ O3b Order at 20, ¶ 54.

For the foregoing reasons, the Commission should dismiss or deny the Petition.

Respectfully submitted,
O3b Limited

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July 19, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of July, 2018, I caused to be served a true copy of the foregoing “OPPOSITION OF O3b LIMITED TO PETITION FOR PARTIAL RECONSIDERATION” by first class mail, postage prepaid, upon the following:

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