

July 16, 2018

*VIA ELECTRONIC FILING*

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: **O3b Limited Written *Ex Parte* Presentation  
The Boeing Company, Call Sign S2966, File Nos. SAT-AMD-20171206-00167 & SAT-  
LOA-20160622-00058 and Call Sign S2977, File Nos. SAT-AMD-20171206-00168 &  
SAT-LOA-20161115-00109**

Dear Ms. Dortch:

O3b Limited (“O3b”) submits this letter regarding the above-referenced proceedings involving requests by The Boeing Company (“Boeing”) to substitute another party, SOM1101 LLC (“SOM1101”) as applicant for new non-geostationary orbit (“NGSO”) satellite systems originally proposed by Boeing.<sup>1</sup> Specifically, O3b highlights recent Boeing public statements confirming that the company is not building any satellites for the proposed NGSO satellite constellations and that plans for the systems are “not really moving forward.”<sup>2</sup>

As O3b has previously explained, Boeing’s actions alone – submitting multiple NGSO processing round applications for the same frequencies and then seeking to transfer two of those filings to SOM1101 – provide a sufficient basis to assume that the company is engaged in impermissible speculation,<sup>3</sup> and the company’s statements clearly reinforce that conclusion. Accordingly, once the Commission rejects Boeing’s impermissible proposal to substitute SOM1101 for Boeing as the applicant for authority to launch and operate Ka-band and V-band NGSO systems, it should also dismiss Boeing’s underlying applications.

The public interest requires the Commission to ensure that claims to spectrum and orbital resources are not held by parties who have no serious intention of expeditiously bringing service to

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<sup>1</sup> The Boeing Company, Call Sign S2966, File Nos. SAT-AMD-20171206-00167 & SAT-LOA-20160622-00058 and Call Sign S2977, File Nos. SAT-AMD-20171206-00168 & SAT-LOA-20161115-00109.

<sup>2</sup> Caleb Henry, *Boeing constellation stalled, SpaceX constellation progressing*, SPACENEWS (June 27, 2018), <http://spacenews.com/boeing-constellation-stalled-spacex-constellation-progressing/> (quoting a statement by Dawn Harms, vice president of global sales and marketing at Boeing Satellite Systems International, that “[w]e have a filing but we haven’t really started developing it yet, so I would call that not really moving forward”).

<sup>3</sup> See Petition to Deny of O3b Limited, File No. SAT-AMD-20171206-00167, *et al.*, at 17-18 (filed Feb. 12, 2018); Reply of O3b Limited to Oppositions to Petitions to Deny, File No. SAT-AMD-20171206-00167, *et al.* (filed Mar. 9, 2018).

consumers. Permitting SOM1101 to substitute for Boeing as applicant, or permitting the stalled and speculative Boeing applications to proceed, would reward speculative filings, increase uncertainty for other processing round applicants such as O3b, and jeopardize future investments in NGSO constellations.

A copy of this letter has been submitted to the relevant proceedings pursuant to 47 C.F.R. §§ 1.1200 *et seq.* Please direct any questions regarding this notification to the undersigned.

Respectfully submitted,

/s/ Suzanne Malloy  
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cc: Bruce Olcott, Counsel to The Boeing Company (via mail and email)  
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