

**Ex Parte**

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February 16, 2021

Marlene H. Dortch, Secretary  
Secretary, Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

**Re: ORBCOMM License Corp., IBFS File Nos. SAT-MOD-20070302-00041, SAT-MOD-20070531-00076 and SAT-AMD-20071116-00161, Call Sign: S2103; Swarm Technologies, Inc., IBFS File No. SAT-LOA-20181221-00094, SAT-MOD-20200501-00040, and SAT-AMD-20200504-00041, Call Sign S3041.**

Dear Ms. Dortch:

On February 11, 2021, Dr. Sara Spangelo, Chief Executive Officer, and Dr. Kyle Wesson, Regulatory Engineer, of Swarm Technologies, Inc. ("Swarm"), along with Mr. Shiva Goel of Harris, Wiltshire & Grannis LLP spoke with Mr. Karl Kensinger, Ms. Kimberly Baum, Ms. Merissa Velez, Ms. Kathryn Medley, Mr. Paul Blais, Ms. Alyssa Roberts, Mr. Sean O'More, and Mr. Samuel Karty of the International Bureau and Mr. Nick Oros, Mr. Michael Ha, Mr. Bahman Badipour, and Mr. Anthony Serafini of the Office of Engineering and Technology about ORBCOMM License Corporation's obligation to cease operations outside its primary assignments and steps the Commission might take to ensure that ORBCOMM complies with that obligation.

We presented arguments consistent with our prior filings on the subject.<sup>1</sup>

We also discussed the need to ensure ORBCOMM's compliance in the very near term. We explained that ORBCOMM's non-compliance is delaying competitive entry in multiple international markets, including in CEPT and Brazil, and that requiring ORBCOMM to adhere to the terms of its license would only facilitate coordination discussions between the two Companies.

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<sup>1</sup> See Letters from Scott Blake Harris and Shiva Goel, Counsel to Swarm Technologies, Inc., to Karl Kensinger, Acting Chief, Satellite Division, International Bureau, IBFS File Nos. SAT-LOA-20181221-00094, SAT-MOD-20070302-00041, SAT-MOD-20070531-00076, and SAT-AMD-20071116-00161 (filed Oct. 16, 2020, Nov. 2, 2020 & Nov. 6, 2020).

We further discussed the ongoing very-high frequency (“VHF”) processing round, specifically Swarm’s request to authorize propulsion, and the required technical modifications, for the remainder of Swarm’s constellation. We also discussed the potential limited waiver of US Footnote 323 with regards to future operations of the Swarm network.

Please do not hesitate to contact me with any questions.

Sincerely,

*Kyle Wesson*

Kyle Wesson, Ph.D.  
Lead Regulatory Engineer  
Swarm Technologies, Inc.

cc: FCC IB and OET meeting participants

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