



14 April 2021

Notice of Ex Parte

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

Re: ORBCOMM License Corp.; IBFS File No. SAT-MOD-20070531-00076, Call Sign 2103; Swarm Technologies, Inc., IBFS File Nos. SAT-LOA-20181221-00094, SAT-MOD-20200501-00040, SAT-AMD- 20200504-00041, Call Sign S3041.

Dear Ms. Dortch:

On Monday, April 12, 2021, I spoke with Karl Kensinger of the International Bureau and separately with David Konczal of the Office of General Counsel about the stay request filed by ORBCOMM License Corp. (“ORBCOMM”).¹ I spoke again with Mr. Konczal today about the same topic.

I explained that ORBCOMM’s argument for an “automatic stay,” an obvious delay tactic, was beyond frivolous and ought to be addressed appropriately by the Commission. Indeed, the last operator to disregard a bureau decision by invoking the same argument was formally “admonished” for its conduct.²

Please let me know if you have any questions.

Sincerely,

Shiva Goel
Counsel to Swarm Technologies, Inc.

¹ See Request for Stay of ORBCOMM License Corp., IBFS File Nos. SAT-MOD-20070531-00076, SAT-LOA-20181221-00094, SAT-MOD-20200501-00040, SAT-AMD-20200504-00041 (filed Apr. 9, 2021).

² *Fox Sports Net Ohio, LLC v. Massillon Cable TV, Inc.*, Order, 28 FCC Rcd. 431 ¶ 2-3 (Media Bur. 2013) (explaining that “the automatic stay provision in Section 1.102(a) applies ... to *hearing matters* conducted pursuant to Part 1, Subpart B of the Commission’s rules”).