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LATHAM & WATKINS LLP

RECEIVED

JUN 23 2005

June 23, 2005

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Federal Communications Commission
Office of Secretary
Received

JUN 28 2005

Policy Branch
International Bureau

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File No. 029043-0043

Re: ORBIMAGE, Inc.: SAT-LOA-1998020300012

Dear Ms. Dortch:

This letter is written on behalf of ORBIMAGE, Inc., licensee of non-geostationary space station system call sign S2348 (File No. SAT-LOA-1998020300012). ORBIMAGE is a leading provider of state-of-the-art Earth imaging services. With its licensed satellites, ORBIMAGE currently provides Earth Exploration Satellite Services to a host of customers, including agencies of the United States government, as well as various institutional and commercial users. In the course of a review of the Commission's files concerning ORBIMAGE, ORBIMAGE discovered that the Commission's files do not appear to contain certain certifications ORBIMAGE believes to have been filed and that one of the certifications may have been filed later than specified by ORBIMAGE's license. However, ORBIMAGE did timely meet each of the substantive milestones relating to its OrbView-3 space station, and it is only the procedural filing requirement that is at issue here. By this letter ORBIMAGE hereby asks the Commission to acknowledge as filed the certifications that the normal business records of ORBIMAGE indicate were filed with the Commission, and to grant a limited waiver (to the extent such waiver may be necessary) to permit the late filing of one of those certifications.

Background

On February 17, 1999, the FCC granted Orbital Imaging Corporation (predecessor in interest to ORBIMAGE) a license to construct and operate a non-geostationary low-Earth orbit satellite system, consisting of two space stations (the "System License"). The System License, as amended by erratum dated February 24, 1999, required among other things that ORBIMAGE meet certain milestones, and certify completion within ten days after expiration of each milestone. In particular, the System License required that ORBIMAGE launch the first space station not later than February, 2002. It also required ORBIMAGE to commence construction of its second space station not later than August, 2001, to complete construction of that space station not later than February, 2003, and to launch it not later than August 2003.

ORBIMAGE launched its first space station (OrbView-4) in September, 2001, well before the launch deadline of February, 2002.¹ However, that satellite failed after launch: it did not reach its intended orbit and never became operational.²

ORBIMAGE commenced construction of its second space station (OrbView-3) before the August, 2001 deadline. It completed construction of that space station before the February, 2003 deadline. ORBIMAGE launched that space station before the August, 2003 deadline. OrbView-3 was successfully placed into operation, and it remains in operation today, providing valuable Earth images to its customers.

Although each of these milestones was in fact met in a timely fashion, ORBIMAGE has encountered issues with respect to the relevant certifications for each of these milestones. ORBIMAGE has located certain documents in its files that appear on their faces to be the relevant certifications, documented by properly executed affidavits. Specifically, it has located (i) a letter dated January 16, 2002, which certifies the completion of the first (“Commence Construction”) milestone, (ii) a letter dated March 3, 2003, which certifies the completion of the second (“Complete Construction”) milestone, and (iii) a letter dated July 3, 2003, which certifies the completion of the final (“Launch”) milestone. Copies of these letters are attached hereto as Exhibits 1, 2, and 3, respectively.

Two of these certifications (the “complete construction” and “launch” certifications appear to have timely and properly certified the completion of the relevant milestones in accordance with the conditions of the System License and the Commission’s rules. The first of the three certifications (the “commence construction” certification), however, appears to have been filed approximately five months after the milestone deadline, although it certifies timely completion of the relevant milestone.

Even working with the Commission staff, however, ORBIMAGE has been unable to locate copies of these certifications in the Commission’s files. ORBIMAGE has located waybills issued by the nationally recognized carrier, Airborne Express (now owned by DHL International, Ltd.) that confirm that a package was sent from ORBIMAGE to the Commission Secretary’s office on the dates stated on the second and third of the certifications, properly addressed, and signed for by an individual at that location. Copies of those waybills are attached hereto as Exhibits 4 and 5. It has no such record for the first certification, which states on its face that it was sent via U.S. Mail (so that no waybill would be available). However, the Commission has been unable to locate these documents in its own files.

¹ Cf. *ICO Satellite Serv’s G.P.*, 2005 WL 1240284 ¶ 10 (Int’l Bur., rel. May 24, 2005) (concluding that “launch” milestone is met upon intentional ignition of the launch vehicle, regardless of whether the spacecraft was successfully placed into orbit).

² Therefore, in accordance with the Commission’s policies, the System License currently authorizes operation of the single space station that was successfully placed into operation, and is now in fact operating. See *Modification of DigitalGlobe’s Authorization to Operate a Non-Geosynchronous Orbit Satellite System*, Letter Ruling, 19 FCC Rcd 20415 (Sat. Div., Int’l Bur. 2004).

Request to Place Documents into the Record

As the attached declaration of William Warren, Corporate Secretary and General Counsel for ORBIMAGE, states, these records were made at the time of the event in question and kept in the regular course of business. They were located within the business records of ORBIMAGE by Mr. Warren himself. It is the regular practice of ORBIMAGE to keep copies of important correspondence such as these certifications, while mailing or otherwise delivering the originals to their intended recipients, as indicated on the correspondence itself.

It appears that these certifications were in fact filed with the Commission on (or shortly after) the dates indicated on their faces. Two of the three have corresponding waybills that show a package to have been delivered from ORBIMAGE to the Commission on the indicated dates. The third apparently was placed in the U.S. mail, which presumptively means that it was delivered to the recipient.³ The mere fact that they cannot be found in the Commission's records does not mean that they were never filed – and quite to the contrary, it appears that they were.

It would correct an apparent anomaly if the Commission were now to accept these certifications into its records as properly filed. ORBIMAGE respectfully requests that the Commission acknowledge that the three certifications attached as Exhibits 1, 2, and 3 were filed with the Commission and place those certifications into the Commission's files, associating them with the above-captioned call sign.

Request for Limited Waiver of Timely Filing Requirement

ORBIMAGE also respectfully requests a limited waiver of the requirement that certifications be timely filed insofar as may be necessary under these circumstances. ORBIMAGE did in fact meet each of its milestones. It did in fact certify that it met those milestones. It appears that two of those certifications were in fact timely filed. However, it appears that one of those certifications was not timely filed, even though the milestone was in fact timely completed. Accordingly, ORBIMAGE seeks a waiver of the timely filing requirement for the first certification under these narrow circumstances.

The Commission may, of course, waive any of its rules for good cause shown.⁴ Indeed, Courts have emphasized that fact-specific waivers are necessary to the proper exercise of regulatory authority. “The agency's discretion to proceed in difficult areas through general rules is intimately linked to the existence of a safety valve procedure for consideration of an application for exemption based on special circumstances.”⁵ While the Commission may

³ See, e.g., *Elmore v. United States*, 465 F.2d 1232, 1234 (4th Cir. 1972); 9 *Wigmore on Evidence* 3d ed. § 2519 (1940) (“mailbox rule” that properly mailed letter is presumed received by the addressee).

⁴ See 47 CFR § 1.925.

⁵ *WAIT Radio v. FCC*, 418 F.2d 1153, 1156 (D.C. Cir. 1969).

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establish rules of general application, it still retains “an obligation to seek out the ‘public interest’ in particular, individualized cases.”⁶

There is no question that the public interest would be served by grant of the requested waiver. ORBIMAGE currently provides services to agencies of United States government that are vital to national security of this country, including the Department of Defense and NASA, among others. It also provides essential research data to scientists and policymakers, as well as important commercial and business tools for architects, commercial fishermen, mineral prospectors, and others.

Nor would this waiver frustrate the underlying purpose of the rule. The purpose of the milestone requirements is to prevent the “warehousing” of scarce frequencies and orbital slots by “a licensee [that] has not shown an adequate commitment to move forward with its business plan.”⁷ This policy against “warehousing” is intended to ensure that “other potential licensees willing and able to move forward” are not blocked from doing so by a “paper system” that remains unbuilt.⁸

Plainly, this purpose would not be frustrated by waiver under these circumstances. OrbView-3 is up and operating and providing service to the public. ORBIMAGE is not “warehousing” frequencies or orbital positions by any stretch of the imagination. Moreover, no other party would be prevented by ORBIMAGE’s system from launching its own Earth exploration satellite, for (as described in ORBIMAGE’s application to modify the System License and elsewhere) the nature of EESS spacecraft operations is such that they are not mutually exclusive.⁹ Perhaps most importantly, though, ORBIMAGE plainly has “shown an adequate commitment to move forward with its business plan,” as it did construct, it did launch, and it is now operating the spacecraft for which the waiver is sought.

Moreover, waiver under these circumstances would be consistent with the Commission’s precedent. In the *Echostar 9* case, for example, the Commission found that a satellite provider should receive an extension of its “launch” milestone requirement, because the licensee had in fact completed construction of the space station, and was prepared to launch. Because it therefore appeared that the licensee would not in fact warehouse spectrum, the Commission granted an extension of that milestone.¹⁰ Likewise the Commission extended the

⁶ *Id.* at 1157.

⁷ *Amendment of the Commission’s Space Station Licensing Rules and Policies*, First Report and Order, IB Dkt. No. 02-34, 18 FCC Rcd 10760 ¶ 199 (2003).

⁸ *Id.*

⁹ *See, e.g., Earthwatch, Inc. Modification of Authorization to Construct, Launch, and Operate a Remote Sensing Satellite System*, Order and Authorization, 15 FCC Rcd 13594 ¶ 12 (Int’l Bur. 2000) (extending milestones in part because “additional entry in the commercial remote satellite market is possible”).

¹⁰ *Echostar Satellite Corp. Application for Modification of Authorization to Construct, Launch and Operate*, Order and Authorization, 18 FCC Rcd 15875 (Sat. Div., Int’l Bur. 2003).

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milestones for EarthWatch (predecessor-in-interest of DigitalGlobe) because there was “no basis for questioning whether [the licensee] intends to proceed,” and because its authorization did not preclude additional entry by other operators.¹¹

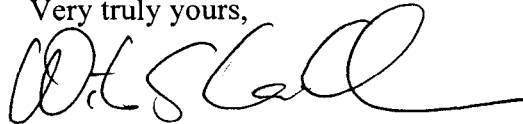
This situation is far more compelling than that in *Echostar 9* or *EarthWatch*. In those cases, the Commission’s conclusion that extensions would not lead to “warehousing” was based only on the stated intent of those parties, and the appearance that they seemed likely to launch. Here, by contrast, ORBIMAGE shows far more even than a nearly-ready spacecraft with an imminent launch date: OrbView-3 has been for some time, and is at this very moment, orbiting the Earth, taking images and downlinking them for the benefit of the public, in accordance with its authorization

Moreover, unlike those cases, this case does not require a waiver (or extension) of the milestones themselves, or a waiver of the certification requirement; all that is necessary is a limited waiver of the technical rule that the certification be filed within the prescribed period of time. The Commission has often waived its rules similarly for late-filed certifications. In one recent case, for example, it concluded that canceling the licenses for legitimately operating facilities that were constructed in accordance with the terms of their authorizations would frustrate the purpose of the certification requirement, and it declined to do so.¹²

There is no question that the public interest would be served by waiver under these circumstances. The facilities were constructed and are now in operation. All of the milestones for OrbView-3 were in fact met. All of the certifications were in fact filed. This request is limited to a waiver, insofar as may be necessary, of the technical requirement that the first certification be filed within the stated period of time. The Commission should grant this waiver without delay.

Please feel free to contact me should you have any questions about this request.

Very truly yours,



William S. Carnell
of LATHAM & WATKINS LLP

cc: Andrea Kelly, Chief, Policy Branch, Satellite Division, International Bureau

¹¹ *Earthwatch*, 15 FCC Rcd 13594 at ¶¶ 11-12.

¹² See *Northwest Communications Cooperative, Certification of Completion of Construction of Multipoint Distribution Service*, Memorandum Opinion and Order (rel. Dec. 10, 2004); see also *American Mobile Telecommunications Association Industrial Telecommunications Association, Petitions for Amnesty Period for Part 90 Private Land Mobile Licensees to File Untimely Construction Notifications*, Order, 19 FCC Rcd 9666 (2004).

Exhibit 1

“Commence Construction” Certification
Dated January 16, 2002

January 16, 2002

BY REGULAR MAIL



Ms. Magalie Roman Salas
Secretary, Federal Communications Commission
Office of the Secretary
445 12th Street, N.W.
Washington, D.C. 20554

Re: Orbital Imaging Corporation Authorization (DA 99-353)

Dear Ms. Salas:

Orbital Imaging Corporation (Orbimage) hereby notifies the Commission that the first satellite it launched (OrbView-4), pursuant to its authorization to launch and operate a two-satellite remote-sensing satellite system in low-Earth orbit,¹ failed to reach its intended orbit and is not operational.

In addition, Orbimage requests an extension of the deadline for completion of construction of its second satellite (OrbView-3) from February 2002 to August 2003. This extension is necessitated by the unexpected launch failure of our first satellite (OrbView-4) in September of last year and recent schedule delays that Orbital Sciences Corporation has incurred in manufacturing our follow on OrbView-3 satellite. These manufacturing delays are not expected to affect Orbimage's ability to launch OrbView-3 by the August 2003 launch date set forth in its authorization. Orbimage commenced construction of OrbView-3 by the August 2001 date also set forth in its authorization (see attached Affidavit).

I would appreciate it if the Commission would stamp and return to my attention one receipt copy of this filing in the enclosed self-addressed, postage prepaid envelope. If you have any questions about these matters, please contact me at (703) 406-5044.

Sincerely,

Armand Mancini
Executive Vice President and
Chief Financial Officer

Attachment

Cc: Ms. Jennifer Gilsenan
Chief, Satellite Policy Branch
Satellite Division, International Bureau
Federal Communications Commission

¹ In the Matter of Orbital Imaging Corporation For Authority to Launch and Operate a Private Remote-Sensing Satellite System in Low-Earth Orbit, *Order and Authorization*, DA 99-353 (Rel. Feb. 17, 1999).
Orbital Imaging Corporation • 21700 Atlantic Blvd., Dulles, VA 20166 • 703-406-5800

COMMONWEALTH OF VIRGINIA)
COUNTY OF LOUDON)

AFFIDAVIT

I hereby certify that Orbital Imaging Corporation complied with the commencement of construction milestone set forth in Paragraph 16 of the Order and Authorization (DA 99-353) granted by the International Bureau to Orbital Imaging Corporation with respect to the company's OrbView-3 satellite.



Signature

ARMAND MANCINI

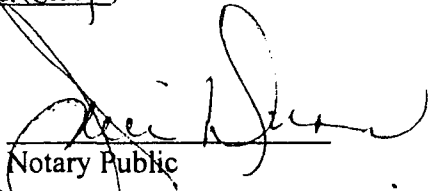
Name (printed or typed)

EXECUTIVE VP & CFO

Title

SWORN TO AND SUBSCRIBED before me, a Notary Public for the Commonwealth of Virginia, on the 16th day of January, 2002.

(SEAL)



Notary Public

My commission expires: 9/30/04

Exhibit 2

“Complete Construction” Certification
Dated March 3, 2003

March 3, 2003

BY AIRBORNE EXPRESS AND FACSIMILE

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
Office of the Secretary
445 12th Street, N.W.
Washington, D.C. 20554

Re: Orbital Imaging Corporation Authorization (DA 99-353)

Dear Ms. Dortch:

As required by its Federal Communications Commission authorization, Orbital Imaging Corporation hereby notifies the Commission that physical construction of the company's second satellite (OrbView-3) was completed by February 2003. Attached is an Affidavit from an officer of the company certifying as to the completion of this milestone.

If you have any questions about these matters, please contact me at (703) 480-7509.

Sincerely,

ORBITAL IMAGING CORPORATION



Armand D. Mancini
Executive Vice President & Chief Financial Officer

Attachment

Cc: Ms. Jennifer Gilsenan
Chief, Satellite Policy Branch
Satellite Division, International Bureau
Federal Communications Commission

Exhibit 3

“Launch” Certification
Dated July 3, 2003



July 3, 2003

BY AIRBORNE EXPRESS AND FACSIMILE

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
Office of the Secretary
445 12th Street, N.W.
Washington, D.C. 20554

18369316350

Re: Orbital Imaging Corporation Authorization (DA 99-353)

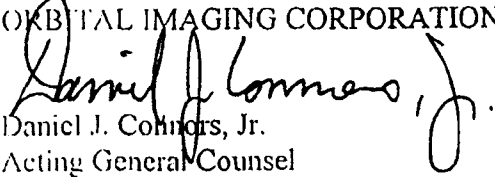
Dear Ms. Dortch:

As required by its Federal Communications Commission authorization, Orbital Imaging Corporation hereby notifies the Commission that the launch of its second satellite (OrbView-3) has been successfully completed. Attached is an Affidavit from an officer of the company certifying as to the completion of this milestone.

If you have any questions about these matters, please contact me at (703) 480-7537.

Sincerely,

ORBITAL IMAGING CORPORATION


Daniel J. Connors, Jr.
Acting General Counsel

Attachment

Cc: Ms. Jennifer Gilsenan
Chief, Satellite Policy Branch
Satellite Division, International Bureau
Federal Communications Commission

Exhibit 4

Airbill Dated March 7, 2003

ATTN: LORA ELLISON
 FROM: DHL ICOR SYSTEM
 REFERENCE:
 COMMENTS:

AIRBILL NUMBER	DATE	CHARGES	PU RTE/DB	DECLD.VAL.	DHL EXPRESS (USA) INC. 1200 S PINE ISLAND ROAD PLANTATION, FL 33324 WWW.DHL-USA.COM 1 800 CALL-DHL	
IAD 17323979050	03/07/03	PREPAID	SD 717			
SHIPPER AND CONSIGNEE						
S H	ORBIMAGE 21700 ATLANTIC BLVD		DULLES	VA 20166	3-214578054	
SENT BY D. CONNORS 703-480-7517						
C O	FEDERAL COMMUNICATIONS CO OFFICE OF THE SECRETARY 445 12TH STREET, N.W.		WASHINGTON	DC 20554	0-	
ATTN MS. MARLENE H. (202) 418-0300						
BILL TO				ENTRY STATION: IAD OPERATOR ID: /PE		
FOR BILLING, PLEASE REFER TO: 096200671895		C30		FACSIMILE	IAD 940	6600115
				AIR WAYBILL		
REF NONE						
NO.PCS	DESCRIPTION OF CONTENTS		SRVC	WEIGHT	SCL/CMM	
1			NAS	1	26000 A2 S L	
A						
THANK YOU FOR CHOOSING DHL						
RECEIVED BY				TRFF.DEST	DATE	TIME STA
X	LD	TAKA	RC 01541563 815	PGC CTL-PGC	03/10/03	10:10 PGC



REMITTANCE ADVICE
PLEASE RETURN WITH PAYMENT

MAIL PAYMENT TO:
AIRBORNE EXPRESS
PO BOX 91001
SEATTLE WA 98111

INVOICE DATE	CUSTOMER NUMBER	INVOICE NUMBER	PAY THIS AMOUNT	PAYMENT DUE DATE
3/14/03	214578054	96200671895	\$10.40	3/29/03

ORBIMAGE
21700 ATLANTIC BLVD
DULLES VA 20166-6801

20166031403017 009620067189500000214578054800000001040 HH

----- DETACH HERE -----
PLEASE RETAIN THIS PORTION OF THE INVOICE FOR YOUR RECORDS ORIGINAL INVOICE PAGE 1 OF 1

INVOICE DATE	CUSTOMER NUMBER	TOTAL TRANSACTIONS
3/14/03	214578054	1

REFER TO THIS NUMBER WHEN REMITTING	INVOICE NUMBER	INVOICE TOTAL
----->	96200671895	\$10.40

BILL TO: ORBIMAGE C30
21700 ATLANTIC BLVD
DULLES VA 20166

SEND OTHER CORRESPONDENCE TO
P.O. BOX 662, SEATTLE, WA 98111
PHONE 1-800-722-0081

CHARGES NOT PAID BY
DUE DATE MAY BE
SUBJECT TO LATE FEES

PAYMENT DUE DATE
3/29/03

AIRBILL NUMBER ORIGIN / DEST SHIP DATE YOU OWE AS DESCRIPTION	CUSTOMER NUMBER SENDER SENT BY REFERENCE NUMBER	CUSTOMER NUMBER RECEIVER ATTENTION RECEIVED BY	REC AT # PCS PKG TYP TND WGT CHG WGT SCALE #	CHG TYPE	CHARGES	TOTAL AMOUNT
96200671895 IAD / 3/07/03 SENDER EXCHANGE MASTER	214578054 C30 ORBIMAGE 21700 ATLANTIC BLVD DULLES VA 20166 D. CONNORS 703-480-7517 NONE	AIRBORNE FOR DISTRIBUTION	SD 1 LX 1 LX	SEE DETAIL		\$10.40
TOTAL						\$10.40

CHG TYPE: EXP=EXP SVC, NAS=NXT AFTERNOON, SDS=2ND DAY SVC, EX1=INTL DUT EXP, IEX=INTL NON-DUT EXP, LEX=INTL NON-DUT LTR,
FRT=INTL FRT, DLV=DELIVERY, PKU=PICKUP, INS=INSURANCE, DCV=DECL. VALUE, CDF=COD FEE, SAT=SATURDAY DELIVERY
PKG TYPE: EP=EXPRESS PACK, LX=LETTER EXPRESS, NI=NONE INDICATED, OT=OTHER
WGT CODE: NONE=NONE ENTERED, LX=LETTER, E=EXCESS WEIGHT LETTER, D=DIMENSIONAL WEIGHT, R=REWEIGHED, Z=ZERO WEIGHT DEFAULT
SCAC - AIRB
FED I.D. NO. 91-0837469
THANK YOU FOR SHIPPING WITH AIRBORNE EXPRESS
3/14/03





INVOICE DATE	CUSTOMER NUMBER
3/14/03	214578054

REFER TO THIS NUMBER WHEN REMITTING	INVOICE NUMBER	PAYMENT DUE DATE
----->	96200671895	3/29/03

PLEASE RETAIN THIS PORTION FOR YOUR RECORDS

BILL TO: **ORBIMAGE** C30
 21700 ATLANTIC BLVD
 DULLES VA 20166

SHIPMENT NUMBER ORIGIN / DEST	SENDER REFERENCE NUMBER	RECEIVER	# PCS CHG WGT SCALE #	CHG TYPE	CHARGES	TOTAL AMOUNT
17323979050 IAD / PGC	NONE	FEDERAL COMMUNICATIONS CO OFFICE OF THE SECRETARY 445 12TH STREET, N.W. WASHINGTON DC 20554	1 LX 26000/A2	NAS FSC	9.90 .50	
ADDITIONAL SHIPMENT INFORMATION: FSC-FUEL SURCHARGE 5.1% APPLIED						\$10.40
TOTAL						\$10.40

G TYPE: EXP=EXP SVC, NAS=NXT AFTERNOON, SDS=2ND DAY SVC, EX1=INTL DUT EXP, IEX=INTL NON-DUT EXP, LEX=INTL NON-DUT LTR,
 FRT=INTL FRT, DLV=DELIVERY, PKU=PICKUP, INS=INSURANCE, DCV=DECL. VALUE, CDF=COD FEE, SAT=SATURDAY DELIVERY
 G TYPE: EP=EXPRESS PACK, LX=LETTER EXPRESS, NI=NONE INDICATED, OT=OTHER
 T CODE: NONE=NONE ENTERED, LX=LETTER, E=EXCESS WEIGHT LETTER, D=DIMENSIONAL WEIGHT, R=REWEIGHED, Z=ZERO WEIGHT DEFAULT
 AC - AIRB
 D I.D. NO. 91-0837469

THANK YOU FOR SHIPPING WITH AIRBORNE EXPRESS

3/14/03



Exhibit 5

Airbill Dated July 3, 2003

ATTN: DEBORAH LORMEL
 FROM: DHL ICOR SYSTEM
 REFERENCE:
 COMMENTS:

AIRBILL NUMBER	DATE	CHARGES	PU RTE/DB	DECLD.VAL.	DHL EXPRESS (USA) INC. 1200 S PINE ISLAND ROAD PLANTATION, FL 33324 WWW.DHL-USA.COM 1 800 CALL-DHL	
IAD 18369316350	07/03/03	PREPAID	SD 717			
SHIPPER AND CONSIGNEE						
S H	ORBIMAGE 21700 ATLANTIC BLVD		DULLES	VA 20166	3-214578054	
SENT BY D. CONNORS 703-480-7537						
C O	FEDERAL COMMUNICATIONS CO OFFICE OF THE SECRETARY 445 12TH STREET, N.W.		WASHINGTON	DC 20554	0-	
ATTN MS. MARLENE H. DORTCH, SECRETA						
BILL TO				ENTRY STATION: IAD OPERATOR ID: /PE		
FOR BILLING, PLEASE REFER TO: 096365081595			C30	FACSIMILE AIR WAYBILL	IAD 940 18400074	
REF NONE						
NO.PCS	DESCRIPTION OF CONTENTS		SRVC	WEIGHT	SCL/CMM	
1				1 R 1	26000 E2 S O	
A REWEIGHED AS 1						
THANK YOU FOR CHOOSING DHL						
RECEIVED BY				TRFF.DEST	DATE	TIME STA
X	LD	A GIBSON	RC 01526843 815 1	PGC CTL-PGC	07/07/03	10:15 PGC

INVOICE DATE	CUSTOMER NUMBER
7/11/03	214578054

REFER TO THIS NUMBER WHEN REMITTING ---->	INVOICE NUMBER	PAYMENT DUE DATE
	96365081595	7/26/03

PLEASE RETAIN THIS PORTION FOR YOUR RECORDS

BILL TO: ORBIMAGE

C30

21700 ATLANTIC BLVD
DULLES

VA 20166

SHIPMENT NUMBER ORIGIN / DEST	SENDER REFERENCE NUMBER	RECEIVER	# PCS CHG WGT SCALE #	CHG TYPE	CHARGES	TOTAL AMOUNT
18364866656 IAD / JMO	NONE	HALL DICKLER KENT GOLDSTE 909 THIRD AVENUE NEW YORK NY 10022	1 1E 26000/A3	NAS FSC	13.50 .61	\$14.11
ADDITIONAL SHIPMENT INFORMATION: FSC-FUEL SURCHARGE 4.5% APPLIED						
18369316350 IAD / PGC	NONE	FEDERAL COMMUNICATIONS CO OFFICE OF THE SECRETARY 445 12TH STREET, N.W. WASHINGTON DC 20554	1 1E 26000/E2	EXP FSC	13.28 .60	\$13.88
ADDITIONAL SHIPMENT INFORMATION: FSC-FUEL SURCHARGE 4.5% APPLIED						
18369835352 IAD / FMY	LED ARRAYS	TECHNOCEAN INC. UNIT 112 820 N. E. 24TH LANE CAPE CORAL FL 33909	1 1E 76000/Z5	SDS FSC	7.56 .34	\$7.90
ADDITIONAL SHIPMENT INFORMATION: FSC-FUEL SURCHARGE 4.5% APPLIED						
TOTAL						\$35.89

CHG TYPE: EXP=EXP SVC, NAS=NXT AFTERNOON, SDS=2ND DAY SVC, EX1=INTL DUT EXP, IEX=INTL NON-DUT EXP, LEX=INTL NON-DUT LTR,
FRT=INTL FRT, DLV=DELIVERY, PKU=PICKUP, INS=INSURANCE, DCV=DECL. VALUE, CDF=COD FEE, SAT=SATURDAY DELIVERY
PKG TYPE: EP=EXPRESS PACK, LX=LETTER EXPRESS, NI=NONE INDICATED, OT=OTHER
WGT CODE: NONE=NONE ENTERED, LX=LETTER, E=EXCESS WEIGHT LETTER, D=DIMENSIONAL WEIGHT, R=REWEIGHED, Z=ZERO WEIGHT DEFAULT
SCAC - AIRB
FED I.D. NO. 91-0837469

THANK YOU FOR SHIPPING WITH AIRBORNE EXPRESS

7/11/03



Exhibit 6

Declaration of William L. Warren

4. I located the certifications attached as Exhibits 1, 2, and 3 to the Letter within the company files of ORBIMAGE over which I have custody. These documents were created by ORBIMAGE in the course of its regular business activities, and retained by ORBIMAGE as part of its regular business records. It is the regular practice of ORBIMAGE to keep copies of important correspondence such as these certifications, while mailing or otherwise delivering the originals to their intended recipients, as indicated on the correspondence itself.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Dulles, Virginia, on this the 20th day of June, 2005.


William L. Warren