

S2862 SAT-LOA-20120322-00058 IB2012000867
Skybox Imaging, Inc.
SKYSAT

* CORRECTED ON 10/03/12 *



File # SAT-LOA-20120322-00058

Call Sign S2862 Grant Date 09/20/12

(or other identifier)

From ^{see} conditions To: ^{see} conditions

Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

Approved by OMB
3060-0678

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Callsign/Satellite ID: S2862

*with conditions

APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
March 2012 Resubmission of Skybox Imaging Application for EESS Satellite System

1-8. Legal Name of Applicant			
Name:	Skybox Imaging, Inc.	Phone Number:	650-316-6661
DBA Name:		Fax Number:	
Street:	1061 Terra Bella Ave.	E-Mail:	jim@skyboximaging.com
City:	Mountain View	State:	CA
Country:	USA	Zipcode:	94043 -
Attention:	Mr. Jim McClelland		

Attachment to Grant
IBFS File No. SAT-LOA-20120322-00058
Call Sign S2862

The application of Skybox Imaging, Inc. (Skybox), IBFS File No. SAT-LOA-20120322-00058, for authority to construct, launch and operate a non-geostationary-orbit satellite system, Call Sign S2862, consisting of two Earth Exploration Satellite Service space stations, SkySat-1 and SkySat-2, IS GRANTED. Accordingly, SkySat-1 and SkySat-2 are authorized to transmit telemetry signals and remote-sensing data in the 8025-8400 MHz frequency band (space-to-Earth) from circular orbits with altitudes from 450 to 637 km, depending on the launch vehicle used, and with inclination ranging between 85 and 100 degrees, and to receive command signals on center frequencies of 2081 MHz and 2083 MHz. Operations under this authorization must be in accordance with the technical specifications in the above-referenced application and Federal Communications Commission rules not waived herein, and are subject to the following conditions:

1. Skybox shall prepare the necessary information, as may be required, for submission to the International Telecommunication Union (ITU) to initiate and complete the advance publication, international coordination, due diligence, and notification process for these space stations, in accordance with the ITU Radio Regulations. Skybox shall be held responsible for all cost-recovery fees associated with ITU filings. No protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments of other administrations. See 47 C.F.R. § 25.111(b).

2. Power flux-density from operation of the SkySat-1 and SkySat-2 space stations in the 8025-8400 MHz band must not exceed the limits in No. 22.5 or Table 21-4 of the International Telecommunication Union's Radio Regulations or the limits in ITU-R Recommendation SA-1157.

3. Operations pursuant to this authorization must not cause harmful interference to stations operating in the 2025-2110 MHz band in accordance with the U.S. Table of Frequency Allocations. See 47 C.F.R. § 2.106, Footnote US347.

4. Given the opportunity for additional entrants to operate in Skybox's requested frequency bands, we grant Skybox's request for a waiver of the modified processing round requirements in 47 C.F.R. §§ 25.156 and 25.157. See *DigitalGlobe, Inc.*, Order and Authorization, 20 FCC Rcd 15696 (Sat. Div., Int'l Bur. 2005) at paragraph 8.

5. Because Skybox must comply with technical requirements in Part 2 of the Commission's rules, which should prevent harmful interference to other operators in the band, we grant its request for a waiver of the default service rules in 47 C.F.R. § 25.217(b). See *DigitalGlobe, Inc.*, *supra*, at paragraph 15.

6. Unless extended by the Commission for good cause shown, this authorization shall become null and void in the event the space stations are not constructed and launched in accordance with this application by the schedule set forth in Section 25.164(b) of the Commission's rules.

Attachment to Grant
IBFS File No. SAT-LOA-20120322-00058
Call Sign S2862

- a. Enter into a binding non-contingent contract to construct the licensed satellite system by September 20, 2013.
- b. Complete the Critical Design Review of the licensed satellite system by September 20, 2014.
- c. Begin construction of the first satellite by March 20, 2015.
- d. Launch and begin operation of the first satellite by March 20, 2016.
- e. Bring the second satellite into operation by September 20, 2018.

7. Skybox must file a bond with the Commission in the amount of \$5,000,000 pursuant to 47 C.F.R. § 25.165 and the procedures set forth in Public Notice, DA 03-2602, 18 FCC Rcd 16283 (2003), within 30 days of the date of this grant, *i.e.*, by October 20, 2012.


8. Within 30 days after launching each satellite authorized herein, Skybox must file a notification with the Commission specifying the satellite's orbital altitude and inclination.

9. The license term for the constellation is 15 years and will begin on 3 a.m. EST on the date that Skybox certifies to the Commission that its initial space station has been successfully placed into orbit and its operations fully conform to the terms and conditions of this authorization. Skybox must file such certification within five business days of placing its initial satellite into operation.

10. Skybox is afforded 30 days from the date of release of this authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

11. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106 and 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.

* CORRECTED ON 10/03/12 *

 GRANTED* International Bureau *with conditions	File # <u>SAT-LOA-20120322-00058</u>
	Call Sign <u>S2862</u> Grant Date <u>09/20/12</u>
	(or other identifier)
	From <u>see conditions</u> Term Dates <u>see conditions</u>
	To: <u>conditions</u>
Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch	

9-16. Name of Contact Representative

Name:	Stephen D. Baruch	Phone Number:	202-416-6782
Company:	Lerman Senter PLLC	Fax Number:	202-429-4626
Street:	2000 K Street, NW Suite 600	E-Mail:	sbaruch@lermansenter.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

a.

- (N/A) a1. Earth Station
 a2. Space Station

b.

- b1. Application for License of New Station
(N/A) b2. Application for Registration of New Domestic Receive-Only Station
(N/A) b3. Amendment to a Pending Application
(N/A) b4. Modification of License or Registration
(N/A) b5. Assignment of License or Registration
(N/A) b6. Transfer of Control of License or Registration
(N/A) b7. Notification of Minor Modification
(N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
 b10. Replacement Satellite Application - no new frequency bands
 b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)
 b12. Petition for Declaratory Ruling to be Added to the Permitted List
(N/A) b13. Other (Please specify)

17c. Is a fee submitted with this application?

If Yes, complete and attach FCC Form 159.

If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

Governmental Entity Noncommercial educational licensee

Other (please explain): Resubmission per DA 12-410

17c. Fee Classification CLW – Space Station (Non-Geostationary)

18. If this filing is in reference to an existing station, enter:

(a) Call sign of station:

Not Applicable

19. If this filing is an amendment to a pending application enter:

(a) Date pending application was filed:

Not Applicable

(b) File number of pending application:

Not Applicable

TYPE OF SERVICE

<p>20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:</p> <p><input type="checkbox"/> a. Fixed Satellite</p> <p><input type="checkbox"/> b. Mobile Satellite</p> <p><input type="checkbox"/> c. Radiodetermination Satellite</p> <p><input checked="" type="checkbox"/> d. Earth Exploration Satellite</p> <p><input type="checkbox"/> e. Direct to Home Fixed Satellite</p> <p><input type="checkbox"/> f. Digital Audio Radio Service</p> <p><input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p><input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply.</p> <p>Not Applicable</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p><input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).</p> <p><input type="checkbox"/> a. C-Band (4/6 GHz) <input type="checkbox"/> b. Ku-Band (12/14 GHz)</p> <p><input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.)</p> <p>Frequency Lower: 2025.0000 Frequency Upper: 8400.0000 (Please specify additional frequencies in an attachment)</p>	

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- (N/A) a. Fixed Earth Station
- (N/A) b. Temporary-Fixed Earth Station
- (N/A) c. 12/14 GHz VSAT Network
- (N/A) d. Mobile Earth Station
- e. Geostationary Space Station.
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY: Not Applicable

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments. Yes No

ALIEN OWNERSHIP

Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

29. Is the applicant a foreign government or the representative of any foreign government?

Yes No

30. Is the applicant an alien or the representative of an alien?

Yes No N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

Yes No N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

Yes No N/A

33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

Yes No N/A

34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

Yes No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances

Yes No

39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.

Yes No

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer. Exhibit 40

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. Yes No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43. Yes No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

See Exhibit 43.

Exhibit 43

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 0.25 – 24 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD–PERM, Paperwork Reduction Project (3060–0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104–13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.