

GRANT IN PART / DEFER IN PART  
EXTENSION OF BOND FILING DEADLINE

April 4, 2016

**VIA IBFS**

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



File # SAT-LOA-20151123-00078

Call Sign S2946 Grant Date 04/14/16  
(or other identifier)

Term Dates  
From 04/18/16 To: 06/18/16

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

Re: Spire Global, Inc.  
Satellite Bond Waiver Request  
IBFS File No. SAT-LOA-20151123-00078, Call Sign S2946

Dear Ms. Dortch:

Spire Global, Inc. ("Spire") hereby requests that the International Bureau ("Bureau") grant a waiver of the bond requirement associated with the satellite authorization granted to Spire on March 18, 2016.<sup>1</sup> In the grant, the Bureau authorized Spire to construct, deploy, and operate nine of the 175 satellites requested by Spire for operation of its LEMUR constellation and imposed, as a condition to the license, the requirement that Spire post a \$5,000,000 bond for those nine satellites by April 18, 2016.<sup>2</sup>

The nine authorized satellites were part of the Cygnus payload onboard the Atlas V vehicle that was launched successfully on March 22, 2016 from Cape Canaveral, Florida.<sup>3</sup> Cygnus subsequently berthed with the International Space Station ("ISS") on March 25, 2016.<sup>4</sup> Four of Spire's authorized satellites will be unloaded from the Cygnus to the ISS and deployed into orbit from the ISS Multi-Purpose Experiment Platform in the upcoming weeks. The other five authorized Spire satellites, which are mounted on the external surface of the Cygnus, will remain on the Cygnus and be

<sup>1</sup> Stamp Grant, Spire Global, Inc., IBFS File No. SAT-LOA-20151123-00078 (granted Mar. 18, 2016 and corrected Mar. 25, 2016) ("Spire Grant"); see also Public Notice, Report No. SAT-01145 (Mar. 25, 2016).

<sup>2</sup> See Spire Grant ¶¶ 1, 6; see also 47 CFR § 25.164(b). The Bureau deferred action on the remainder of the satellites in the LEMUR constellation, and accordingly, the bond requirement is not currently applicable to those satellites.

<sup>3</sup> See William Graham, *OA-6 Cygnus launched to the ISS via Atlas V*, NASASPACEFLIGHT.COM (Mar. 22, 2016); see also *Lemur-2*, GUNTER'S SPACE PAGE, [http://space.skyrocket.de/doc\\_sdat/lemur-2.htm](http://space.skyrocket.de/doc_sdat/lemur-2.htm) (last visited Mar. 30, 2016).

<sup>4</sup> See Justin Ray, *Traveling Cygnus pulls into port at International Space Station*, SPACEFLIGHT NOW (Mar. 26, 2016), <https://spaceflightnow.com/2016/03/26/traveling-cygnus-pulls-into-port-at-the-international-space-station/>.

**Attachment to Grant  
Spire Global, Inc.  
IBFS File No. SAT-LOA-20151123-00078**

The request of Spire Global, Inc. (Spire) to waive or to extend by 90 days the deadline to file a bond in the amount of \$5,000,000 for its non-geostationary orbit (NGSO) Earth Exploration Satellite Service (EESS) LEMUR constellation, Call Sign S2946,<sup>1</sup> is granted in part and deferred in part. All nine Spire satellites that are subject to the bond filing requirement were successfully launched on March 25, 2016, and are currently awaiting deployment from the International Space Station and from the Cygnus supply payload vehicle in May 2016. Under these circumstances, we find that a brief extension of the deadline, through June 18, 2016, to file a bond for Call Sign S2946 is warranted. We defer action on Spire's request to waive the bond filing requirement or to extend the bond filing deadline beyond June 18, 2016.

GRANT IN PART / DEFER IN PART  
EXTENSION OF BOND FILING DEADLINE



\* See this attachment

File # SAT-LOA-20151123-00078

Call Sign S2946 Grant Date 04/14/16  
(or other identifier)

Term Dates  
From 04/18/16 To: 06/18/16

Approved: Stephen J. Duall

Stephen J. Duall  
Chief, Satellite Policy Branch

<sup>1</sup> Spire Global, Inc., IBFS File No. SAT-LOA-20151123-00078 (granted in part and deferred in part, Mar. 18, 2016)(correction issued on Mar. 24, 2016). The Satellite Division granted authority to construct, deploy, and operate the nine LEMUR-2 satellites that were launched on March 25, 2016, but deferred action on the remainder of Spire's application.

deployed into orbit, at an orbital altitude less than 400 km, after the Cygnus disengages with the ISS in a few months. Attached is a letter from the launch integrator, NanoRacks LLC, certifying to the facts stated above.

Spire submits that a waiver of the bond requirement is justified under these circumstances.<sup>5</sup> The nine authorized satellites have been constructed already<sup>6</sup> and are expected to be deployed shortly without any further action by Spire. Thus, grant of the waiver would not undermine the purpose of the bond requirement, to ensure that licensees proceed with the construction and launch of their satellites in a timely manner.<sup>7</sup> Moreover, requiring Spire to incur financial costs and expend other resources associated with posting a multi-million dollar bond, which will be moot in several weeks, serves little purpose. For all of these reasons, the Bureau should grant this waiver request.<sup>8</sup>

Please contact the undersigned if you have any questions regarding this letter.

Respectfully submitted,

/s/ Trey Hanbury

Trey Hanbury  
Partner  
Trey.Hanbury@hoganlovells.com  
D 1+ 202 637 5534

Enclosure

cc: (via email)  
Karl Kensinger  
Stephen Duall

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<sup>5</sup> See 47 C.F.R. § 1.3 (stating that the FCC may grant a waiver of its rules for good cause); see also *WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969).

<sup>6</sup> Accordingly, Spire has satisfied three of the FCC's five milestone requirements already. See 47 C.F.R. § 25.164(b).

<sup>7</sup> See *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Report and Order, 28 FCC Rcd 12403 ¶ 40 (2013).

<sup>8</sup> See *DIRECTV Enterprises, LLC*, Order and Authorization, 21 FCC Rcd 8028 ¶ 8 (2006) (noting that no bond was required if the satellite was launched within 30 days); see also *Inmarsat Mobile Networks, Inc.*, Order and Authorization and Declaratory Ruling, 30 FCC Rcd 2770 ¶ 31 (2015) (requiring the applicant to post only \$750,000 because three of the four milestones had already been met); *Loral Skynet do Brasil*, Order, DA 03-4095 ¶ 14 (rel. Dec. 23, 2003) (reducing the bond requirement to \$1.25 million since three of the four milestones had already been met).

Attachment – NanoRacks Certification



2 April 2016

Via E-mail

Ms. Jenny Barna  
Spire Global, Inc.  
33 Norfolk Street  
San Francisco, CA 94103 USA

Re: Confirming Lemurs and Deployers on OA-6 for FCC

Dear Jenny

Four Lemurs arrived at the International Space Station (ISS) on March 25th 2016 on board an Orbital ATK Cygnus for deployment through the KIBO airlock at a later date.

In addition, between the time that same Cygnus departs the ISS and its re-entry there are plans to deploy five Lemurs from a NanoRacks deployer that is attached to the exterior of the Cygnus.

The deployers and the CubeSats were transported on the Cygnus via NanoRacks Space Act Agreement with NASA.

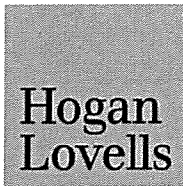
Very Respectfully,

A handwritten signature in black ink, appearing to read "Christopher K. Cummins".

Christopher K. Cummins  
Chief Commerce Officer  
NanoRacks, LLC

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555 Forge River Road, Suite 120, Webster, TX 77598



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April 12, 2016

**VIA IBFS**

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

Re: Spire Global, Inc.  
Satellite Bond Extension Request  
File No. SAT-LOA-20151123-00078, Call Sign S2946

Dear Ms. Dortch:

On April 4, 2016, Spire Global, Inc. ("Spire") submitted a request to the International Bureau ("Bureau") seeking a waiver of the \$5,000,000 bond requirement<sup>1</sup> associated with the March 18, 2016 grant to Spire authorizing the deployment of four satellites from the International Space Station ("ISS") and five satellites from the Cygnus payload, after it disengages from the ISS.<sup>2</sup> As an alternative to the grant of a waiver of the bond requirement, Spire requests that the Bureau grant a ninety-day extension to post the bond.<sup>3</sup>

The nine authorized satellites have been constructed already<sup>4</sup> and are now on board the ISS.<sup>5</sup> The satellites are expected to be deployed in May without any further action by Spire.<sup>6</sup> Thus, grant of the

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<sup>1</sup> See Letter to Marlene H. Dortch, Secretary, FCC, from Trey Hanbury, Counsel for Spire (April 4, 2016) ("Waiver Request"). Spire incorporates by reference the Waiver Request, including the supporting attachment to that document.

<sup>2</sup> See Stamp Grant, Spire Global, Inc., File No. SAT-LOA-20151123-00078 (granted Mar. 18, 2016 and corrected Mar. 24, 2016) ("Spire Grant"); see also Public Notice, Report No. SAT-01145 (Mar. 25, 2016).

<sup>3</sup> See 47 C.F.R. § 1.3 (stating that the FCC may grant a waiver of its rules for good cause); see also *WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969).

<sup>4</sup> Accordingly, Spire has satisfied three of the FCC's five milestone requirements. See 47 C.F.R. § 25.164(b).

<sup>5</sup> See Waiver Request at 1.

<sup>6</sup> Spire has requested a ninety-day extension to post the bond in the event there are unforeseen circumstances, beyond its control, resulting in the delay of the deployment of the satellites from the ISS or the Cygnus payload.

waiver would not undermine the purpose of the bond requirement, to ensure that licensees proceed with the construction and launch of their satellites in a timely manner.<sup>7</sup> Moreover, requiring Spire to incur financial costs and expend other resources associated with posting a multi-million dollar bond, which will be unnecessary in several weeks, serves little purpose. If the Bureau does not grant or act on the request for waiver of the bond requirement, the Bureau should grant this request to extend the deadline for posting the bond, consistent with its precedent.<sup>8</sup>

Please contact the undersigned if you have any questions regarding this letter.

Respectfully submitted,

/s/ Trey Hanbury

Trey Hanbury  
Partner  
Trey.Hanbury@hoganlovells.com  
D +1 202 637 5534

cc: (via email)  
Karl Kensinger  
Stephen Duall

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<sup>7</sup> See *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Report and Order, 28 FCC Rcd 12403 ¶ 40 (2013).

<sup>8</sup> See, e.g., Stamp Grant, Planet Labs, Request for Extension of Time, File No. SAT-MOD-20140321-00032 (granted August 11, 2014); Stamp Grant, New Skies Satellites B.V., Request for Extension of Time, File No. SAT-PPL-20110620-00112 (granted April 4, 2012); Stamp Grant, Intelsat North America LLC, Request for Extension of Time, File No. SAT-LOA-20100726-00167 (granted December 16, 2010).