



August 23, 2016

VIA IBFS

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

Re: Ex Parte Letter – File Nos. SAT-MOD-20150802-00053; SAT-LOA-20151123-00078; SAT-STA-20150821-00060

Dear Ms. Dortch:

On August 19, 2016, ORBCOMM, represented by the undersigned, participated in a telephone call with Jose Albuquerque, Chief of the Satellite Division, to address the above-referenced pending applications filed by Planet Labs Inc. (“Planet Labs”), Spire Global, Inc. (“Spire”), and Spaceflight, Inc. (“Spaceflight”). During that call, ORBCOMM confirmed that, despite the assertion in Planet Labs’ August 18th *Ex Parte* Letter, ORBCOMM has not agreed that the current record in the above-referenced application proceedings supports grant of the Planet Labs, Spire, or Spaceflight authorization requests relating to Spaceflight’s proposed SHERPA secondary satellite payload deployment mission. ORBCOMM reiterated its most recent stated position on the record that, *inter alia*, there are still clearly several unresolved material concerns with respect to the conjunction assessments and debris hazard analyses associated with the above-referenced applications. ORBCOMM also reiterated its recognition that time is of the essence with regard to Commission action relating to the proposed SHERPA mission, and it is committed to continue working directly with the applicants to resolve these issues in a mutually acceptable manner.

ORBCOMM further confirmed its consistently-stated position that, at a minimum, the requested Planet Labs, Spire, and Spaceflight authorizations relating to the proposed SHERPA mission must be appropriately conditioned, and should not be issued by the Commission until Conjunction Alert Procedure Agreements have been finalized by the parties. ORBCOMM indicated that its efforts to complete such agreements remain ongoing, and it has been in touch with counsel for Planet Labs and Spire with regard to this issue as recently as August 16th. ORBCOMM explained that it believes that these agreements can be completed shortly. ORBCOMM also indicated that it would keep the Commission informed on the status of those agreements.

ORBCOMM also stated that it stands by the position that any authorization issued to Planet Labs, Spire, or Spaceflight relating to the proposed SHERPA mission must be appropriately conditioned in accordance with the record of the above-referenced applications. In



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addition to the inclusion of license conditions arising from Conjunction Alert Procedure Agreements entered into by the parties prior to grant, ORBCOMM also reiterated that the Commission should specify clear license condition criteria for aborting SHERPA separation from the Falcon 9 second stage, as well as release of the SHERPA mission secondary payload satellites, in the event of a SpaceX Formosat-5 launch mission anomaly that precludes lowering the Falcon 9 2d stage from the Formosat-5 720 km circular release orbit to the specified 450 x 720 km SHERPA release orbit.

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically in the above-referenced proceedings. Please direct any questions regarding this submission to the undersigned.

Respectfully submitted,



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cc: Dr. Jose Albuquerque