

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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<i>In the Matter of</i>)	
)	
AUDACY CORPORATION)	IBFS File No. SAT-LOA-20161115-00117
)	
Application for Authority to Launch)	
and Operate a Non-Geostationary)	
Medium Earth Orbit Satellite System)	
)	

REPLY OF SPACE EXPLORATION HOLDINGS, LLC

Space Exploration Holdings, LLC (“SpaceX”) hereby replies to the response filed by Audacy Corporation (“Audacy”) in the above referenced proceeding.¹ In its comments on Audacy’s application, SpaceX raised questions about Audacy’s plans for “off-nominal” operations and its assertion that certain rules for operation of non-geostationary orbit (“NGSO”) satellite systems should not apply in this case.²

Audacy has applied for authorization to use several gigahertz of V-band spectrum for primary uplink and downlink operations of its NGSO satellite system. It also requests authority to use another 500 MHz of Ka-band spectrum in each direction for TT&C links in “off-nominal, emergency situations.”³ In response to questions raised by SpaceX, Audacy notes that these operations will be conducted in Ka-band spectrum, and that it has previously demonstrated that its

¹ See Response of Audacy Corporation, IBFS File No. SAT-LOA-20161115-00117 (July 27, 2017) (“Audacy Response”).

² See Comments of Space Exploration Holdings, LLC, IBFS File Nos. SAT-LOA-20161115-00117, *et al.* (July 17, 2017) (“SpaceX Comments”).

³ Audacy Corporation Application, IBFS File No. SAT-LOA-20161115-00117, at 44 (Nov. 15, 2016) (“Audacy Application”).

operations will comply with applicable equivalent power flux-density (“EPFD”) limits under the rules of the Commission and the International Telecommunications Union.⁴ However, as other commenters have noted, Audacy did not submit for the public record the EIRP and PFD mask databases necessary to independently assess the proposed system’s compliance with these limits.⁵ As a result, neither SpaceX nor any other interested party can determine whether Audacy’s operation of omni-directional antennas in these “off-nominal” situations would remain within applicable EPFD limits. The Commission should require that such materials be made available for analysis.

As importantly, Audacy has yet to explain why it requires 500 MHz of Ka-band spectrum for emergency TT&C operations, and why it could not conduct these operations within the V-band spectrum assigned for communications links, as contemplated under the Commission’s rules.⁶ Moreover, it has not addressed how it would coordinate off-nominal use of this Ka-band spectrum with other NGSO systems. For example, given that Audacy would only use this spectrum in emergency situations, how would other operators be expected to handle potential in-line events on an ongoing basis? Audacy should answer these questions before it is authorized to operate in this spectrum.

Audacy also claims that its system should not be subject to all of the rules applicable to NGSO systems, and particularly those that may be adopted in an ongoing rulemaking proceeding.⁷ It bases this contention on the fact that its proposed system would operate narrowly tailored feeder

⁴ See Audacy Response at 7.

⁵ See, e.g., Comments of SES S.A. and O3b Limited, IBFS File Nos. SAT-PDR-20161115-00108, at 4 (June 26, 2017).

⁶ See 47 C.F.R. § 25.202(g)(1).

⁷ See Audacy Response at 6.

links between three NGSO spacecraft and three gateway earth stations, which it argues should not be subject to rules applicable to larger systems that provide more widespread services. Audacy does not identify any specific type of regulation it believes should not apply, nor provide any technical demonstration to justify relief from a particular requirement. Indeed, to the extent it had such evidence, Audacy could submit it into the record of the rulemaking in order to ensure that the Commission considered the proper scope for any new rule adopted. However, there is no reason to broadly exempt Audacy's NGSO system from complying with rules adopted for NGSO operations to the extent those rules are applicable.

Respectfully submitted,

SPACE EXPLORATION HOLDINGS, LLC

William M. Wiltshire
Paul Caritj
HARRIS, WILTSHIRE & GRANNIS LLP
1919 M Street, N.W.
Suite 800
Washington, DC 20036
202-730-1300 tel
202-730-1301 fax

Counsel to SpaceX

By: /s/ Tim Hughes
Tim Hughes
Senior Vice President, Global Business
and Government Affairs

Patricia Cooper
Vice President, Satellite Government
Affairs

SPACE EXPLORATION TECHNOLOGIES CORP.
1030 15th Street, N.W.
Suite 220E
Washington, DC 20005
202-649-2700 tel
202-649-2701 fax

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CERTIFICATE OF SERVICE

I hereby certify that, on this 7th day of August, 2017, a copy of the foregoing pleading was served via U.S. mail upon:

Timothy Bransford
Denise Wood
MORGAN, LEWIS & BOCKIUS LLP
2020 K Street, N.W.
Washington, DC 20006

/s/ Abigail Hylton
Abigail Hylton