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May 17, 2021

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

**Re: Comments of Maxar Technologies Inc.
ICEYE US, Inc. ("ICEYE"), IBFS File No. SAT-LOA-20210212-00021,
Call Sign S3082 (the "ICEYE Application" or "Application")**

Dear Ms. Dortch:

Maxar Technologies Inc. ("Maxar"),¹ through counsel, submits comments responding to the ICEYE Application to deploy an Earth exploration satellite service non-geostationary satellite orbit ("EESS NGSO") system.² The current Application lacks detail required by the Commission's rules to enable Maxar and other incumbent operators to evaluate the compatibility of ICEYE's planned 2025-2110 MHz ("S-band") and 8025-8400 MHz ("X-band") operations.³ Accordingly, Maxar requests that the FCC hold the Application in abeyance and permit ICEYE an opportunity to cure the Application's defects.

ICEYE seeks authorization pursuant to the Commission's new Part 25 streamlined processing rules for SmallSats. These rules require applicants to provide "[a] description of means by which requested spectrum could be shared with both current and future operators," so as not to "materially constrain[] other operations in the requested frequency band(s)."⁴ To meet this threshold, the agency clarified that "[t]he narrative statement supporting certification will require more than a conclusory assertion," and that "[a] commitment to cease transmissions if

¹ Maxar operates an EESS NGSO system and is the leading global provider of advanced space technology solutions delivering unmatched end-to-end capabilities in satellites, robotics, Earth imagery, geospatial data, analytics, and insights. See IBFS Call Signs S2129/S2348. Later this year, Maxar plans to deploy WorldView-Legion, which will enable unprecedented visibility into our changing planet.

² See 47 C.F.R. § 25.154.

³ ICEYE has also proposed use of the 2200-2290 MHz and 9300-9900 MHz band; Maxar has no comment with respect to the use and coordination of these bands.

⁴ 47 C.F.R. § 25.122(d)(3).

interference is reported is not sufficient by itself.”⁵ Moreover, the FCC clearly and expressly stated that it would require applicants to provide ground station information, as it is “an important part of the coordination process.”⁶

The current ICEYE Application fails to meet these requirements. The Application neglects to describe the earth stations with any particularity, including their location. For Maxar and other incumbents, earth station location is critical to assess the compatibility of ICEYE’s proposed operations.

Instead, ICEYE offers only a high-level certification that its uplink S-band transmissions will not cause harmful interference to Federal and non-Federal stations operating in accordance with the Table of Frequency Allocations.⁷ Moreover, in the X-band, ICEYE provides two statements: (1) that it operates in non-broadcast mode, and (2) that it operates below ITU-established PFD limits,⁸ which are supported only by a cursory technical analysis of the X-band PFD limits.⁹ While these defects should result in the immediate dismissal of the application,¹⁰ Maxar recognizes that this is a new process and that the ultimate objective is to facilitate coordination.

Maxar thus encourages the Commission to permit ICEYE to (i) cure the defects in its Application and (ii) make a good faith showing that it has commenced coordination with incumbent operators, as appropriate, in the S-band and X-band.

Best regards,

A handwritten signature in black ink, appearing to read 'Henry Gola'.

Henry Gola
Counsel for Maxar Technologies Inc.

⁵ *Streamlining Licensing Procedures for Small Satellites*, Report and Order, 34 FCC Rcd 13077, ¶ 84 (2019) (“*SmallSat Order*”).

⁶ *Id.* at ¶ 85.

⁷ ICEYE Application, Narrative at 7.

⁸ *Id.* at 8.

⁹ *Id.* Technical Annex at 8-9.

¹⁰ *SmallSat Order*, ¶ 81; 47 C.F.R. § 25.122(c)(9).

CERTIFICATION OF PERSON RESPONSIBLE FOR PREPARING
ENGINEERING INFORMATION

I hereby certify that I am the technically qualified person responsible for the preparation and review of the foregoing comments, that I am familiar with Part 25 of the Commission's rules, that I have reviewed the engineering information in the comments and that it is complete and accurate to the best of my knowledge and belief.

/s/ Christian Meyer

Christian Meyer

Vice President – Earth Observation Systems

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Certificate of Service

I, Henry Gola, hereby certify that on May 17, 2021, a true and correct copy of this letter was sent by U.S. Mail, first class postage prepaid, to the following:

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/s/ Henry Gola