

EXHIBIT B

WAIVER REQUESTS

Kuiper Systems LLC (“Amazon Leo”), a wholly owned subsidiary of Amazon.com Services LLC (collectively, “Amazon”), respectfully requests waiver of certain Commission rules in connection with its application to launch and operate a non-geostationary satellite orbit (“NGSO”) mobile-satellite service (“MSS”) system in the 1.6/2.4 GHz, Ka-, and V-bands to deliver direct-to-device (“D2D”) connectivity to customers (the “Amazon Leo D2D System”).

The Commission may waive its rules for good cause shown.¹ The Commission may grant a waiver where the particular facts make strict compliance inconsistent with the public interest.² When deciding whether a waiver is warranted, the Commission “may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.”³ The Commission has good cause to grant the limited waivers sought here because doing so will clear a path for Amazon to launch and operate the Amazon Leo D2D System, making more intensive use of available spectrum resources through greater investment—without causing any meaningful interference or co-existence issues in the relevant frequency bands.

Power flux-density (“PFD”) limit under Section 25.146(a)(1). As described in the Application for Authority to Launch and Operate a Non-Geostationary Satellite Orbit System (“Legal Narrative”) and the Technical Attachment at Exhibit C (“Technical Attachment”), the Amazon Leo D2D System is an NGSO MSS system employing feeder and telemetry, tracking,

¹ 47 C.F.R. § 1.3; *see also id.* § 25.112(b)(1).

² *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

³ *Kuiper Systems, LLC, Application for Authority to Deploy and Operate a Ka-Band Non-Geostationary Satellite Orbit System*, Order and Authorization, 35 FCC Rcd 8324, 8342 ¶ 51 (2020) (“2020 Amazon Leo Order”).

and command (“TT&C”) links in certain fixed-satellite service (“FSS”) frequency bands in the 10.7–30 GHz range, including in the 19.25–19.4 GHz band. Section 25.146(a)(1) of the Commission’s rules requires NGSO FSS system applicants to certify that their operations in this band will comply with the International Telecommunication Union (“ITU”) PFD limits governing NGSO FSS systems in the 17.7–19.3 GHz band.⁴ To the extent applicable, Amazon seeks a limited waiver of this requirement with respect to its proposed downlink TT&C beams which will produce PFD levels greater than the relevant limits at low elevation angles on rare occasions. Due to the limited and intermittent nature of TT&C downlink operations, these rare occurrences will not increase the risk of harmful interference to co-frequency fixed-service systems. The Commission therefore has good cause to grant the requested waiver.

Equivalent Power Flux-Density (“EPFD”) limits under Section 25.146(a)(2), (c). As described in the Legal Narrative and Technical Attachment, the Amazon Leo D2D System is an NGSO MSS system employing feeder and TT&C links in certain FSS frequency bands in the 10.7–30 GHz range. Sections 25.146(a)(2), (c) of the Commission’s rules require an NGSO FSS applicant operating in this frequency range to: (1) certify that it will comply with any applicable EPFD limits in Article 22 and Resolution 6 of the ITU Radio Regulations; and (2) receive a “favorable” or “qualified favorable” finding by the ITU Radiocommunication Bureau with respect to such compliance prior to initiating service.⁵ Amazon seeks a waiver of these rules for its Ka-band feeder link and TT&C downlink operations within the United States.

Good cause exists to grant the requested waiver. These decades-old EPFD limits, initially promulgated to protect GSO FSS satellite networks in the Ka-band frequencies from harmful

⁴ 47 C.F.R. § 25.146(a)(1)(i).

⁵ 47 C.F.R. §§ 25.146(a)(2), (c).

interference due to NGSO FSS satellite networks, do not reflect current satellite technology, particularly for downlink operations. Both the ITU and the Commission have recognized as much in their recent efforts to modernize these EPFD limits. A recent Commission ruling will permit applicants to commence operations without strict compliance with the EPFD limits as soon as the decision becomes effective.⁶ To qualify, an applicant may instead complete a coordination agreement with co-frequency GSO networks or obtain Commission approval of a compatibility showing for Ka-band downlink operations into GSO reference links.⁷ Because implementation of the modernization efforts the Commission has adopted has been delayed, Amazon seeks a waiver of Sections 25.146(a)(2) and (c) of the Commission’s rules with respect to the proposed feeder and TT&C downlinks in the Ka-band within the United States.

U.S. Table of Frequency Allocations for the 42.0–42.5 GHz and 51.4–52.4 GHz bands under Section 2.106. The U.S. Table of Frequency Allocations allocates the 42.0–42.5 GHz band to non-Federal uses in the fixed and mobile services and the 51.4–52.6 GHz band to the fixed and mobile services on a co-primary basis for both Federal and non-Federal uses.⁸ Although these bands are allocated globally to FSS transmissions on a co-primary basis with fixed and mobile services, there is currently no allocation for FSS or MSS transmissions in these bands within the United States.⁹ Amazon requests a limited waiver of Section 2.106 to permit the use of gateway

⁶ See *Modernizing Spectrum Sharing for Satellite Broadband*, Report and Order, SB Docket No. 25-157, FCC 26-26 ¶¶ 1, 3 (rel. May 1, 2026) (“2026 Spectrum Sharing Order”). The ITU Radio Regulations specify that EPFD limits “may be exceeded on the territory of any country whose administration has so agreed.” ITU Radio Regulations (2024 ed.), Article 22, No. 22.5CA.

⁷ See 2026 Spectrum Sharing Order ¶ 77.

⁸ See 47 C.F.R. § 2.106.

⁹ See *id.*

downlinks in the 42.0–42.5 GHz band and gateway uplinks in the 51.4–52.4 GHz band to support the Amazon Leo MSS NGSO operations.

The Space Bureau has previously waived the U.S. Table to allow NGSO FSS uplinks in the 51.4–52.4 GHz band.¹⁰ And the Commission is currently considering adding a downlink allocation to the 42.0–42.5 GHz band to more efficiently and intensively use this spectrum, to “promote technological innovation, the growth of the nation’s economy, and greater connectivity for the American public.”¹¹ Grant of this waiver will support the deployment of new D2D services and promote more intensive use of these bands, which the Commission has characterized as “lightly used” and “greenfield” spectrum within the last approximately fourteen months.¹²

Amazon commits to taking reasonable steps to coordinate with currently authorized Federal and non-Federal FSS, fixed, and mobile users and will take all required and practical steps to avoid causing harmful interference to any currently authorized GSO uplink transmissions outside of the United States.¹³ Amazon also acknowledges that any gateway links in the 42.0–42.5 GHz and 51.4–52.4 GHz bands will operate on an unprotected and non-interference basis with respect to currently authorized users in the fixed and mobile services within the United States.

¹⁰ See *Space Exploration Holdings, LLC Request for Deployment and Operating Authority for the SpaceX Gen2 NGSO Satellite System*, Authorization and Order, ICFS File Nos. SAT-LOA-20200526-00055 et al., DA 26-36 ¶ 9 (SB rel. Jan. 9, 2026) (permitting FSS transmissions in the 51.4–52.4 GHz band); *Kuiper Systems LLC*, Grant Stamp at 3, ICFS File Nos. SAT-LOA-20211104-00145, SAT-AMD-20250311-00068 (granted in part Feb. 10, 2026) (Call Sign S3105/S3051) (“*Amazon Leo Gen 2 Grant*”).

¹¹ *Satellite Spectrum Abundance*, Further Notice of Proposed Rulemaking and Notice of Proposed Rulemaking, 40 FCC Rcd 3794, 3811–15 ¶¶ 2, 46-55 (2025) (“*Satellite Spectrum Abundance Order*”).

¹² *Satellite Spectrum Abundance Order*, 40 FCC Rcd at 3780 ¶ 14 and Statement of Chairman Brendan Carr.

¹³ See 47 C.F.R. § 2.106(b)(550)(iii), and (555)(ii).

Licensing requirements for D2D-compatible consumer handsets. Sections 25.102(a) and 25.115(a)(1)(i) of the Commission’s rules generally require operators to obtain authorization for transmitting earth stations.¹⁴ Section 25.115(d) provides that MSS transceivers “need not be individually licensed” but requires service vendors to file blanket licenses for these devices.¹⁵

In the United States, the Amazon Leo D2D System’s customer terminals will consist solely of unmodified, commercial off-the-shelf phones and devices that will already be certified to operate under Part 24 of the Commission’s rules. The Commission has previously determined that such user terminals do not trigger the certification requirements under Sections 25.102(a) and 25.115(a)(1)(i) of the Commission’s rules,¹⁶ and has waived blanket licensing requirements for consumer handsets compatible with supplemental coverage from space because these devices are regulated separately.¹⁷ For the same reasons, Amazon requests a waiver of Sections 25.102(a), 25.115(a)(1)(i), and 25.115(d), and any applicable equipment authorization rules for consumer handsets that are compatible with Amazon’s D2D offerings.¹⁸ If applied strictly, licensing requirements could frustrate Amazon’s efforts to deliver reliable D2D connectivity to consumer devices that are already available today. To avoid foreclosing broad access to MSS and D2D services, Amazon asks the Commission to waive any applicable individual or blanket licensing

¹⁴ *Id.* §§ 25.102(a), 25.115(a)(1)(i).

¹⁵ *Id.* § 25.115(d).

¹⁶ *Space Exploration Holdings, LLC Request for Deployment and Operating Authority for the SpaceX Gen2 NGSO Satellite System*, Order and Authorization, 39 FCC Rcd 12550, 12579–80 ¶ 49 & n.230 (SB 2024).

¹⁷ *See T-Mobile USA and SpaceX Request for Waivers of Parts 2 and 25 of the Commission’s Rules*, Order, 40 FCC Rcd 4321, 4323–24 ¶ 6 (OET, SB 2025) (waiving Section 25.115 and related requirements because doing so is in “keeping with the intent of the rule to provide maximum flexibility” for mobile subscribers).

¹⁸ *See generally* 47 C.F.R. § 2.805.

requirements for compatible consumer handsets to communicate with the Amazon Leo D2D System.

Separate treatment of requests for feeder links. As described in the Legal Narrative and Technical Attachment, the Amazon Leo D2D System will operate MSS service links supported by feeder links to fixed gateway and customer terminals and optical inter-satellite links.¹⁹ Amazon asks the Commission to waive the procedural rule requiring separate treatment of applications related to service links and those related to feeder links.²⁰ Section 25.156(d)(4) provides that “applications for feeder-link authority or inter-satellite link authority will be treated like an application separate from its associated service band.”²¹ That provision is intended to clarify that the Commission’s procedural rules governing service-link authority apply equally to standalone applications for feeder-link or inter-satellite-link authority in the same frequency band.²² Strict application of that procedural separation serves no purpose where, as here, the proposed feeder links are integral components of a single, unified application to deploy and operate an NGSO system. The Commission has waived this rule to promote efficient processing in comparable

¹⁹ See 47 C.F.R. § 25.103 (defining a feeder link as “[a] radio link from a fixed earth station at a given location to a space station, or vice versa, conveying information for a space radiocommunication service other than the Fixed-Satellite Service. The given location may be at a specified fixed point or at any fixed point within specified areas”).

²⁰ The Commission has clarified that optical inter-satellite links do not trigger the 47 C.F.R. § 25.156(d)(4) requirement. *Theia Holdings A, Inc. Request for Authority to Launch and Operate a Non-Geostationary Satellite Orbit System in the Fixed-Satellite Service, Mobile-Satellite Service, and Earth-Exploration Satellite Service*, Memorandum Opinion, Order and Authorization, 34 FCC Rcd 3526, 3544 ¶ 47 (2019).

²¹ 47 C.F.R. § 25.156(d)(4).

²² See *Amendment of the Commission’s Space Station Licensing Rules and Policies*, First Report and Order and Further Notice of Proposed Rulemaking in IB Docket No. 02-34, and First Report and Order in IB Docket No. 02-54, 18 FCC Rcd 10760, 10810–12 ¶¶ 125-131 (2003) (“*Space Station Licensing Rules Order*”).

circumstances.²³ Consistent with that precedent, reviewing the proposed service links and feeder links together would make far more efficient use of the Space Bureau's resources than requiring review of separate, yet inextricably linked, applications.

Schedule S requirements for operational details on individual NGSO satellites. Amazon requests a limited waiver of the relevant Schedule S filing requirements under Sections 25.114(c)(4) and (c)(6) of the Commission's rules,²⁴ to the extent needed to accommodate the application. Section 25.114(c)(4) requires applicants to file extensive operational details for each proposed space station,²⁵ including certain technical parameters relating to each orbital plane and beam configuration.²⁶ Amazon Leo D2D System comprises more than 5,000 satellites across nearly 9,000 orbital planes. Entering the required information for each satellite and plane individually would prove unduly burdensome and not meaningfully aid the Commission's review. Amazon has entered only information regarding one representative orbital plane in the Schedule S form. Amazon has separately included in the application a spreadsheet containing the full data set required under the Commission's rules. Similarly, Amazon submitted contours for satellites at one representative operating altitude, with the minimum and maximum antenna gain values.²⁷ This approach provides the Commission with all the required information while avoiding needless duplication that would not meaningfully improve the Commission's review.

²³ See, e.g., *2020 Amazon Leo Order*, 35 FCC Rcd at 8343 ¶ 55; *Audacy Corp., Application for Authority to Launch and Operate a Non-Geostationary Medium Earth Orbit Satellite System in the Fixed- and Inter-Satellite Services*, Order and Authorization, 33 FCC Rcd 5554, 5565–66 ¶ 27 (2018).

²⁴ 47 C.F.R. § 25.114(c)(4), (c)(6).

²⁵ 47 C.F.R. § 25.114(c)(4).

²⁶ 47 C.F.R. § 25.114(c)(4), (c)(6).

²⁷ 47 C.F.R. § 25.114(c)(4)(vi)(B)-(D).

Processing round requirements for NGSO applications. Amazon respectfully requests that the Commission waive the processing round procedures under Sections 25.156(d)(1) and 25.157(c) as applied to Amazon’s proposed feeder link and TT&C link operations in the Ka-band and V-band.²⁸

The Commission adopted the processing round framework primarily to prevent one applicant from unreasonably precluding other operators from providing service in the same frequency band.²⁹ This risk is not present here. As described in the Technical Attachment, the Amazon D2D System will be able to flexibly control its spectrum use and beam direction to prevent interference to other NGSO operators in these frequencies. The Amazon Leo D2D System will comply with the NGSO spectrum sharing rules outlined in Section 25.261, and with any applicable sharing rules the Commission may adopt as part of a future processing round in the Ka-band and V-band. Amazon will coordinate the Amazon Leo D2D System with other operational Ka-band and V-band NGSO FSS systems in prior processing rounds or otherwise submit a compatibility showing demonstrating its operations will not cause harmful interference into those systems. The Commission can thus process this application now without preventing other operators from accessing or continuing to use these frequencies.³⁰

²⁸ 47 C.F.R. §§ 25.156(d)(1), 25.157(c).

²⁹ See *Space Station Licensing Rules Order*, 18 FCC Rcd at 10774–76 ¶¶ 24–29. The Commission has previously waived the processing round requirement when it found that an applicant’s requested operations could coexist with existing users and would not preclude future users. See *Space Exploration Holdings, LLC Request for Deployment and Operating Authority for the SpaceX Gen2 NGSO Satellite System*, ICFS File Nos. SAT-LOA-20200526-00055 et al., DA 26-36 ¶¶ 13–14 (SB 2026) (waiving processing round requirement for certain Ku-, Ka-, V-, and W-band frequencies).

³⁰ The Commission’s NGSO processing round procedures do not apply to the 1.6/2.4 GHz band where the incumbent, Globalstar, Inc. (“Globalstar”), holds exclusive rights. The processing round framework exists to allocate scarce spectrum among rival NGSO systems; where exclusivity forecloses that competition entirely, the framework has nothing to do. In a recent order, the Commission confirmed that applications for new or modified MSS systems in comparable bands are available only to “an incumbent operator or its assignee or transferee.” *Space Exploration Holdings LLC*, Order, ICFS File Nos. SAT-LOA-20200526-

00055 et al., DA-26-398, ¶ 21 (SB rel. Apr. 23, 2026) (quoting *Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands*, Report and Order and Order of Proposed Modification, 27 FCC Rcd 16102, 16164 160 & n.468 (2012)). Amazon seeks authority to operate the Amazon Leo D2D System in the 1.6/2.4 GHz band as Globalstar's successor, which is precisely the posture the Commission described. No processing round is warranted, and none should be opened. Out of an abundance of caution, however, Amazon respectfully requests that the Commission waive the processing round procedures under Sections 25.156(d)(1) and 25.157(c) to the extent they could be construed to reach this application. But the sounder conclusion is that those procedures do not apply at all.