WAIVER REQUESTS

In accordance with the Commission's rules, the Commission may waive its rules when it deems good cause is shown, including in cases where the public interest would be better served than would be the case under strict adherence to the general rule, and when the Commission's policy would be better implemented overall. For the reasons set forth below, the Commission should grant a waiver, to the extent necessary, regarding various limitations in Schedule S and specific sections of Part 25.

1. Waiver of Processing Round Procedures

Under Sections 25.156 and 25.157 of the Commission's rules, the Commission ordinarily processes applications to launch and operate NGSO-like systems through a modified processing round framework in accordance with 25.156(d)(1) and 25.157. The purpose of this framework is to guard against the unreasonable preclusion of subsequent entry by other satellite operators in the target frequency band. The Commission has, however, consistently waived processing round requirements where it is satisfied that the proposed operations will not foreclose future use of the band.

The Orbital Datacenter System is architected to communicate primarily over optical inter-satellite links, with RF used only as a backup for telemetry, tracking, and command. Because the system's architecture centers on optical transport, Orbital's demand for RF spectrum is inherently minimal, and granting a license will not preclude other operators from accessing the band. Where RF backup links are activated, Orbital accepts authority on a non-interference, non-protection basis with respect to co-primary NGSO systems. The system uses beam steering and a flexible network architecture to actively prevent interference during these infrequent RF transmissions. This approach preserves the rights of systems authorized in earlier processing rounds as well as those that may be licensed in the future. Granting this waiver is therefore in the public interest and allows for expeditious processing without prejudice to other applicants.

The Orbital Datacenter System addresses a critical and growing need for AI computing capacity. These are not speculative plans — Orbital has secured funding to begin production of its satellite platform and has received significant indications of demand from cloud computing providers. Rapidly licensing Orbital's limited use of the requested spectrum will accelerate the deployment of this platform, delivering benefits consistent with the Commission's recent efforts to reduce barriers for innovative services, particularly those that voluntarily accept non-interference, non-protected status. Authorizing Orbital's limited backup RF operations on this basis will accelerate deployment of space-based computing services. Moreover, granting this

authority aligns with the Commission's recent proposals to modernize financial bonding requirements and build-out milestones. Requiring Orbital to await the conclusion of a processing round would serve no regulatory purpose while imposing significant costs, draining resources and delaying deployment without providing any corresponding benefit to the public or other operators.

2. Waiver of Surety Bond and Milestone Requirements

The Commission established its milestone and bond requirements under Sections 25.164 and 25.165 to prevent warehousing and strike an appropriate balance between providing flexibility for the licensee and a measure of certainty for other operators. Section 25.164 sets a six-year deadline for 50% deployment and a nine-year deadline for 100% deployment, while Section 25.165 enforces these obligations through an escalating surety bond capping at $5 million. The Commission recently observed, however, that there is "little benefit to adding the cost of a bond to systems for which no particular priority is provided and for which there is likely to be no material preclusion of other systems in terms of resources." The Commission has also recently proposed to exempt space stations that are not subject to processing round procedures from financial bonding requirements and buildout milestones.

Because Orbital's use of Ka-band is restricted to limited backup TT&C on a non-interference basis, the policy concerns underlying these rules are not implicated. There is no risk of warehousing, as Orbital will neither cause interference nor claim protection from other systems, meaning it cannot materially preclude future entry. Furthermore, by seeking a license outside of a processing round, Orbital explicitly disclaims any priority status. Rigidly applying milestone and surety bond requirements serves no public interest where, as here, RF spectrum is utilized solely for ancillary, non-interference backup purposes.

3. Waiver of Schedule S Formatting Limitations

Orbital submits the attached Schedule S in compliance with 47 C.F.R. § 25.114(a)(1). However, strictly adhering to the Schedule S format prevents an entirely accurate description of the proposed system due to specific software limitations. Orbital therefore requests a waiver of these formatting requirements where the form cannot accommodate the system's technical design. First, a limitation in the Schedule S software prevents the entry of uplink and downlink beam channels. Orbital clarifies that these beams are bounded 5 MHz channels with variable bandwidths. Second, given the diversity of Orbital's orbital planes and the range of antenna gains employed, documenting every conceivable parameter combination would result in an unmanageably large dataset. Accordingly, in lieu of providing an exhaustive list of configurations for every altitude, Orbital provides technical data for a set of representative

orbital planes that accurately characterize the system's performance envelope. The transmit beams associated with two orbits which envelope the constellation's operational altitude range are provided below:

Beam ID	Altitude (km)
TX1	500
TX2	850