

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

Received
FEB 23 2006
Policy Branch
International Bureau

In the Matter of)
)
DigitalGlobe, Inc.)
) **File No.SAT-MOD-20040728-00151**
) **Call Sign: S2129**
Modification of Authorization)
to Construct, Launch and)
And Operate a Remote-)
Sensing Satellite System)

To: Secretary, Federal Communications Commission,
Washington, D.C. 20554

**MOTION TO WITHDRAW PETITION FOR RECONSIDERATION OF
BOND REQUIREMENT**

DigitalGlobe, Inc. ("DigitalGlobe"), licensee under the above referenced file number, hereby moves to withdraw the "Petition for Reconsideration of Bond Requirement Among Other Matters Provided in FCC Order and Authorization, DA 05-2640", filed by Digital Globe on October 31, 2005 (the "Petition for Reconsideration"). For the reasons set forth below, DigitalGlobe believes the issues raised in the Petition for Reconsideration with regard to DigitalGlobe are now moot and that the broader policy issues raised by the Petition for Reconsideration are better addressed through

petition for amendment to rules and regulations in accordance with 47 C.F.R. § 1.401, to be filed at a later date.

In the Petition for Reconsideration DigitalGlobe requested that the Commission waive certain bonding requirements set forth in Order and Authorization DA 05-2640 or, alternatively, make a determination that the required bond amount should be the \$3,000,000 amount applicable to GSO-like satellites as opposed to the \$5,000,000 required for the NGSO satellites. DigitalGlobe also requested that the Commission determine that the launch of the first satellite in a multi-satellite NCSO remote sensing satellite system be deemed to satisfy the final milestone requirement of bringing the licensed system into operation.

Since filing the Petition for Reconsideration, DigitalGlobe has moved forward with posting a bond in the amount of \$5,000,000 to ensure license continuity and has filed evidence of milestone completion that should allow reduction of the bond to \$2,000,000. Accordingly, the issue of whether DigitalGlobe is required to post a \$5,000,000 in this particular case is now moot. DigitalGlobe continues to maintain that the bonding requirement should not apply at all to licensed systems that are already required to

provide other assurances of financial stability and intent to construct by virtue of contracts with U.S. Government agencies, but DigitalGlobe is of the opinion that this broader issue is now best addressed through the rulemaking process. In addition, DigitalGlobe recognizes that the request for a determination of final milestone completion by DigitalGlobe is premature since DigitalGlobe has not yet launched the first satellite of the licensed system. As with the issue of bonding requirements, DigitalGlobe intends to pursue review of the broader policy issues relating to requirement for final milestone completion through the Commission's rulemaking procedures.

For good cause shown, DigitalGlobe respectfully requests that this Motion to Withdraw the Petition for Reconsideration be granted.

Respectfully Submitted,

DIGITALGLOBE, INC.

By: 

Bettina Eckerle
General Counsel
DigitalGlobe, Inc
1601 Dry Creek Drive #260
Longmont, CO 80503
303.684.4312