

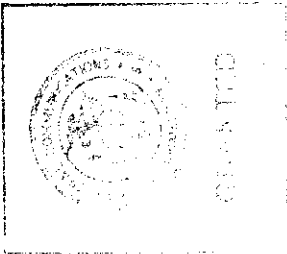
File # SAT-MOD-20061002-00115

Call Sign S2129 Grant Date Dec 14 2006

(or other identifier) Approved by OMB  
3060-0678

Term Dates  
From: JULY 1, 2002 To: JULY 1, 2012

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File Number: SAT-MOD-20061002-00115



*Robert G. Nelson*  
*Chief of Station/Division*

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM	FCC Use Only
FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	

**APPLICANT INFORMATION**

Enter a description of this application to identify it on the main menu:  
Modification of DG Consents Sub EESS Space Station Authorization

**1-8. Legal Name of Applicant**

<b>Name:</b>	DG Consents Sub, Inc.	<b>Phone Number:</b>	303-682-3800
<b>DBA Name:</b>		<b>Fax Number:</b>	303-684-4048
<b>Street:</b>	1601 Dry Creek Drive	<b>E-Mail:</b>	beckerle@digitalglobe.com
<b>City:</b>	Longmont	<b>State:</b>	CO
<b>Country:</b>	USA	<b>Zipcode:</b>	80503 -
<b>Attention:</b>	Ms Bettina Eckerle		

9-16. Name of Contact Representative

**Name:** Stephen D. Baruch **Phone Number:** 202-416-6782  
**Company:** Leventhal Senter & Lerman PLLC **Fax Number:** 202-293-7783  
**Street:** 2000 K Street, NW **E-Mail:** sbaruch@isl-law.com  
Suite 600  
**City:** Washington **State:** DC  
**Country:** USA **Zipcode:** 20006--  
**Attention:** **Relationship:** Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- a1. Earth Station
- a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- (N/A) b3. Amendment to a Pending Application
- (N/A) b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- (N/A) b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)

<p>17c. Is a fee submitted with this application?  <input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).  <input type="radio"/> Governmental Entity   <input type="radio"/> Noncommercial educational licensee  <input type="radio"/> Other (please explain):</p>	
<p>17d.          Fee Classification CGW – Space Station Modification (Non-Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter:          (a) Call sign of station:          S2129</p>	<p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number:          (a) Date pending application was filed:          (b) File number:          SATMOD2004072800151</p>

**TYPE OF SERVICE**

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:

- a. Fixed Satellite
- b. Mobile Satellite
- c. Radiodetermination Satellite
- d. Earth Exploration Satellite
- e. Direct to Home Fixed Satellite
- f. Digital Audio Radio Service
- g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

- Common Carrier
- Non-Common Carrier

22. If earth station applicant, check all that apply.

- Using U.S. licensed satellites
- Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

- Connected to a Public Switched Network
- Not connected to a Public Switched Network
- N/A

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

- a. C-Band (4/6 GHz)
- b. Ku-Band (12/14 GHz)

c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: 8025      Frequency Upper: 8400

(Please specify additional frequencies in an attachment)

**TYPE OF STATION**

25. **CLASS OF STATION:** Choose the button next to the class of station that applies. Choose only one.

- a. Fixed Earth Station
- b. Temporary–Fixed Earth Station
- c. 12/14 GHz VSAT Network
- d. Mobile Earth Station
- e. Geostationary Space Station
- f. Non–Geostationary Space Station
- g. Other (please specify)

26. **TYPE OF EARTH STATION FACILITY:**

- Transmit/Receive
- Transmit–Only
- Receive–Only
- N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- a --- authorization to add new emission designator and related service
- b --- authorization to change emission designator and related service
- c --- authorization to increase EIRP and EIRP density
- d --- authorization to replace antenna
- e --- authorization to add antenna
- f --- authorization to relocate fixed station
- g --- authorization to change frequency(ies)
- h --- authorization to add frequency
- i --- authorization to add Points of Communication (satellites & countries)
- j --- authorization to change Points of Communication (satellites & countries)
- k --- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l --- authorization to change orbit location
- m --- authorization to perform fleet management
- n --- authorization to extend milestones
- o --- Other (Please specify)

**ENVIRONMENTAL POLICY**

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

Yes  No

**ALIEN OWNERSHIP** Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

29. Is the applicant a foreign government or the representative of any foreign government?

Yes  No

30. Is the applicant an alien or the representative of an alien?

Yes  No  N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

Yes  No  N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

Yes  No  N/A

<p>33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?</p>	<p><input type="radio"/> Yes   <input type="radio"/> No   <input checked="" type="radio"/> N/A</p>
<p>34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.</p>	

**BASIC QUALIFICATIONS**

<p>35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.</p>	<p><input type="radio"/> Yes   <input checked="" type="radio"/> No</p>
<p>36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes   <input checked="" type="radio"/> No</p>



<p>37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p style="text-align: right;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No         </p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances</p>	<p style="text-align: right;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No         </p>
<p>39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If Yes, attach as an exhibit, an explanation of the circumstances.</p>	<p style="text-align: right;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No         </p>
<p>40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.</p>	

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.

Yes  No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.

Yes  No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

See Exhibit 43.

Exhibit 43

**CERTIFICATION**

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing  
Bettina Eckerle

—>

46. Title of Person Signing  
General Counsel

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT  
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION  
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).**

## **FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

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Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

### **Frequency Bands**

This application requests modification of DG Consents Sub, Inc.'s authorization to operate three space stations in the Earth Exploration Satellite Service using the 8025-8400 MHz frequency band. The only modification is to reduce the number of authorized satellites from three to one. The remaining satellite will use the frequencies authorized to the licensee in September 2005 (see DigitalGlobe, Inc., DA 05-2640 (IB, released Sept. 30, 2005)), and thus will conduct uplink tracking, telemetry and control ("TT&C") in a 128 kilohertz channel at 2085.6875 MHz center frequency and downlink TT&C in a 2 megahertz channel at 8380 MHz center frequency. No new or changed frequency bands are requested in this modification.

**DESCRIPTION OF REQUEST FOR MODIFICATION OF NON-GSO EARTH  
EXPLORATION SATELLITE SERVICE LICENSE**

On September 30, 2005, the Commission authorized DigitalGlobe, Inc. (“DigitalGlobe”) to add three nongeostationary orbit (“NGSO”) remote-sensing satellites to its operating Earth Exploration Satellite Service (“EESS”) system.<sup>1</sup> With this modification of license application, DigitalGlobe, pursuant to Section 25.117(c) of the Commission’s Rules,<sup>2</sup> seeks to reduce the number of additional satellites to be added to its operational Quickbird EESS satellite system from three to one.

Grant of the instant modification request is consistent with Commission precedent. The Commission generally allows licensees to modify their satellite systems – in recognition of the length of time it takes to construct a satellite system, the rapid pace of technological change, and the goal of encouraging more efficient use of the radio spectrum – provided the modifications do not present any interference problems and are otherwise consistent with Commission policies.<sup>3</sup> DigitalGlobe’s proposed modification, which seeks a reduction in satellites, does not make any technical changes to the characteristics or frequency assignments of the remaining satellite. Accordingly, the modified operations will not pose a risk of interference to other authorized users or otherwise conflict with any Commission policy.

DigitalGlobe emphasizes that reducing its constellation from four satellites (three new) to two satellites (one new) will not reduce in any way DigitalGlobe’s ability to achieve its ambitious service objectives or delay the provision by DigitalGlobe of enhanced, next-generation imaging services to government and commercial users. DigitalGlobe specifically notes that the surrender of its authorization to launch and operate the WorldView 110A and WorldView 110B spacecraft (leaving only the WorldView 60 spacecraft for the moment), and the modification of

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<sup>1</sup> *DigitalGlobe, Inc., Modification of Authorization to Construct, Launch and Operate a Remote-Sensing Satellite System*, Order and Authorization, DA 05-2640 (IB 2005) (granting DigitalGlobe, authority to add three new NGSO satellites – WorldView 110A, WorldView 110B and WorldView 60 – to the EESS system it has been operating in the 8025-8400 MHz frequency band for nearly 10 years). While this modification application was pending, DigitalGlobe assigned it to DG Consents Sub, Inc., a wholly owned subsidiary, in a pro forma transaction that was timely consummated. See File No. SAT-ASG-20041021-00204. Although DG Consents Sub, Inc. is the licensee, the references here will continue to be to DigitalGlobe for convenience and consistency.

<sup>2</sup> 47 C.F.R. § 25.117(c).

<sup>3</sup> See *Teledesic LLC for Minor Modification of License to Construct, Launch and Operate a Non-Geostationary Fixed Satellite Service System*, Order and Authorization, 14 FCC Rcd 2261 (IB 1999) (granting modification request to decrease the number of satellites in broadband fixed-satellite service system from 840 to 288) (“*Teledesic Order*”); *The Boeing Company For Modification of Authority For Use of the 1990-2025/2165-2200 MHz and Associated Frequency Bands for a Mobile-Satellite Service*, Order and Authorization, 18 FCC Rcd 12317 (IB & OET 2003) (granting modification of authorization from 16 NGSO satellites to one GSO satellite).

its authorization to exclude those spacecraft, is without prejudice to the submission by DigitalGlobe, expected in the very near future, of a further modification request or requests that seek authority to reinsert the WorldView 110A and WorldView 110B satellites into DigitalGlobe's expanding EESS constellation.

DigitalGlobe's proposed reduction in the number of satellites is a minor modification.<sup>4</sup> No new technical showing or other submission under Section 25.114 of the Commission's Rules or Schedule S of FCC Form 312 is required to effect this modification. DigitalGlobe certifies that the reduction in the number of satellites is the only change to the items of information listed in Section 25.114 of the Commissions Rules as that information pertains to the subject authorization.<sup>5</sup>

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<sup>4</sup> See *Teledesic Order* at 2266-67.

<sup>5</sup> See 47 C.F.R. 25.117(d)(1).