

ORBCOMM™

May 14, 2014

SAT-MOD-20111021-00207

VIA IBFS

Jose Albuquerque, Chief
Satellite Division
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



File # SAT-AMD-20140116-00006

Call Sign S2103 Grant Date 05/23/14
(or other identifier)

Term Dates
From 05/31/14 To 09/30/14

Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

* Extension of launch deadline
in condition 1 from May 31, 2014,
until September 30, 2014

**Re: Application of ORBCOMM License Corp. For Authority to
Modify its Non-Voice, Non-Geostationary Satellite Service
Space Segment License (S2103) to Revise the Next-Generation
Satellite Deployment Plan**

File No. SAT-MOD-20111021-00207

File No. SAT-AMD-20120809-00125

File No. SAT-AMD-20130212-00020

File No. SAT-AMD-20140016-00006

Dear Dr. Albuquerque:

By this submission, ORBCOMM License Corp. ("ORBCOMM") respectfully requests extension of the partial milestone waiver granted by the Chief of the Satellite Policy Branch on March 26, 2014 (the "Partial Waiver"), in connection with the launch of ORBCOMM Generation 2 ("OG2") satellites and disposition of the above-referenced modification application.¹ The OG2 launch scheduled for May 10, 2014, on a Space Exploration Technologies Corp. ("SpaceX") Falcon 9 v1.1 rocket was postponed after SpaceX scrubbed the static fire test scheduled for May 9, 2014. Based on the latest available information, May 27, 2014, is the earliest possible date for rescheduling the launch. The Partial Waiver is currently set to expire only four days later on May 31, 2014.²

Given that launch schedule delays that are beyond the control of payload owners are commonplace occurrences in the space industry, and in the interest of administrative efficiency, ORBCOMM requests that the Partial Waiver be extended until September 30, 2014. Grant of

¹ *Stamp Grant, Slip Op. at 2*, File Nos. SAT-MOD-20111021-00207 (Granted in part /Deferred in part) & SAT-AMD-20140016-00006 (Granted), FCC International Bureau, Satellite Division, Satellite Policy Branch, March 26, 2014, 2012, *FCC Public Notice*, Report No. SAT-01006, released March 28, 2014.

² *Id.*

IB2011004639

SAT-MOD-20111021-00207
ORBCOMM License Corp.
ORBCOMM GENERATION 2

S2103



Jose Albuquerque, Chief
Satellite Division
International Bureau
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May 14, 2014
Page 2 of 2

this request will remove uncertainty regarding the authorization status of the OG2 satellites that are subject to the Partial Waiver and would be consistent with precedent concerning launch milestone extensions granted due to factors beyond the control of the FCC licensee.³ Furthermore, although ORBCOMM expects that the launch will occur well before the end of September 2014, grant of the requested Partial Waiver extension, should also ensure that valuable Commission staff time will not have to be expended revisiting this matter. Accordingly, grant of this request will serve the public interest, convenience, and necessity.


Kindly direct any inquiries concerning this submission to the undersigned.

Respectfully submitted,



Walter H. Sonnenfeldt, Esq.
Regulatory Counsel
ORBCOMM License Corp. &
Vice President, Regulatory Affairs
ORBCOMM Inc.
Direct Tel: (585) 461-3018
E-Mail: sonnenfeldt.walter@orbcomm.com

SAT-MOD-20111021-00207

 GRANTED* International Bureau	File # <u>SAT-AMD-20140116-00006</u>
	Call Sign <u>S2103</u> Grant Date <u>05/23/14</u> (or other identifier)
	Term Dates From <u>05/31/14</u> To: <u>09/30/14</u>
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

* Extension of launch deadline in condition 1
from May 31, 2014, until September 30, 2014.

³ See, e.g., *Intelsat LLC*, 19 FCC Rcd 5266 (March 22, 2004), at ¶ 7.

S2103 SAT-MOD-20111021-00207 IB2011004639
ORBCOMM License Corp.
ORBCOMM GENERATION 2

** GRANTED IN PART / DEFERRED IN PART **

*see also SAT-AMD-20140116-00006



File # SAT-MOD-20111021-00207

Call Sign S2103 Grant Date 03/26/14

(or other identifier)

Term Dates

From 03/26/14 To: _____

Approved by OMB
3060-0678

Approved: *Stephen J. Duall*
Stephen J. Duall
Chief, Satellite Policy Branch

Date & Time Filed: Oct 21 2011 11:29:04:606AM
File Number: SAT-MOD-20111021-00207

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:
ORBCOMM NVNG MSS space segment license modification

1-8. Legal Name of Applicant

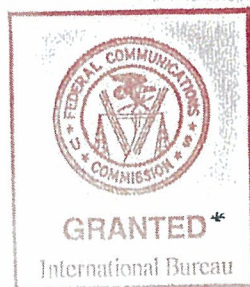
Name:	ORBCOMM License Corp.	Phone Number:	585-461-3018
DBA Name:		Fax Number:	585-461-3476
Street:	ORBCOMM License Corp.	E-Mail:	sonnenfeldt.walter@orbcomm.com
	2115 Linwood Ave. Suite 100		
City:	Fort Lee	State:	NJ
Country:	USA	Zipcode:	07024 -
Attention:	Walter H Sonnenfeldt		

Orbcomm License Corp.
IBFS File Nos. SAT-MOD-20111021-00207, SAT-AMD-20140116-00006
Call Sign S2103

The application of Orbcomm License Corp. (Orbcomm) to modify its authorization for a non-voice, non-geostationary mobile satellite service (Little LEO) system, SAT-AMD-20140116-00006, IS GRANTED. IBFS File No. SAT-MOD-20111021-00207 IS GRANTED in part and DEFERRED in part.¹ We grant authority to the extent of modifying the target orbital inclination of 17 satellites from 51.6 degrees to 47 degrees, with a target operational orbital altitude of 715 kilometers.² In addition, in light of the imminent launch of six satellites, we partially waive the fourth milestone in the *Orbcomm Next Generation License*, which requires Orbcomm to complete construction of and launch the first two next-generation satellites. The waiver is limited to extending authority to launch and operate with respect to the six satellites proposed for imminent launch. We defer action on all other aspects of the pending modification application, as amended. This grant is without prejudice to action on remaining portions of the amended modification application, including Orbcomm's request to extend the fourth milestone for six months or deem it satisfied by the launch of a single satellite in October 2012. This grant is subject to the following conditions:

1. Launch of the six satellites must be completed no later than May 31, 2014. In the event this deadline is not met or extended, the waiver will expire, and the application will be returned to pending status for 17 satellites.
2. Nothing in this authorization extends the license termination date for Call Sign S2103, which is April 30, 2025. See IBFS File No. SAT-MOD-20070531-00076.
3. Within the Amended Orbital Debris Mitigation Showing in its Third Amendment, Orbcomm discloses that two ballast blocks on each satellite are predicted to survive re-entry and reach the surface of the earth. Orbcomm estimates the risk of human casualty for each satellite reentering the atmosphere to be 1 in 48,300. This is below the threshold of 1 in 10,000 specified in the U.S. Government Standard Practices and NASA Technical Standard NASA-STD-8719.14A (approved, with changes, May 25, 2012). See, In the Matter of Mitigation of Orbital Debris, *Second Report and Order*, IB Docket No. 02-54, FCC 04-130, 19 FCC Rcd 11567 at ¶ 88.

SAT-MOD-20111021-00207 (Granted in part/deferred in part)



File # SAT-AMD-20140116-00006 (Granted)

Call Sign S2103 Grant Date 03/26/14
 (or other identifier)

Term Dates
 From 03/26/14 To: _____

Approved: Stephen J. Duall
 Stephen J. Duall
 Chief, Satellite Policy Branch

¹ See also IBFS File Nos. SAT-AMD-20120809-00125 and SAT-AMD-20130212-0020, which remain pending in deferred status.

² Applications by Orbcomm License Corp. for Authority to Modify its Non-Voice, Non-Geostationary Satellite System, Order and Authorization, 23 FCC Rcd 4804 (Int'l Bur. and OET 2008) (Orbcomm Next Generation License).

9-16. Name of Contact Representative

Name:	ORBCOMM License Corp.	Phone Number:	585-461-3018
Company:		Fax Number:	585-461-3476
Street:	ORBCOMM License Corp.	E-Mail:	sonnenfeldt.walter@orbcomm.com
	2115 Linwood Ave. Suite 100		
City:	Fort Lee	State:	NJ
Country:	USA	Zipcode:	07024-
Attention:		Relationship:	

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
- b3. Amendment to a Pending Application
- b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- 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)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- b13. Amendment to a Pending Database Entry Application
- b14. Modification of Database Entry

17c. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
- Governmental Entity Noncommercial educational licensee
- Other (please explain): See, DA 11-1499 at FN 11; See, also 47 C.F.R.

17d.

Fee Classification CGW – Space Station Modification (Non-Geostationary)

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: 137

Frequency Upper: 401

(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

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?

Yes No N/A

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.

BASIC QUALIFICATIONS

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.

Yes No

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.

Yes No

<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><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><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><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>	<p>Ownership Exhibit</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.)

Commission authorization is requested to modify the ORBCOMM NVNG MSS space segment license (FCC Call Sign S2103) to revise the deployment plan and otherwise update the specification for the currently authorized ORBCOMM Generation 2 satellites.

Narrative Exhibit

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

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
Marc J. Eisenberg

46. Title of Person Signing
Chief Executive Officer

—>

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).

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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.