



June 27, 2016

VIA IBFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte* Letter – File Nos. SAT-STA-20150821-00060; SAT-MOD-20150802-00053; SAT-LOA-20151123-00078

Dear Ms. Dortch:

At the request of the Chief of the Policy Branch of the International Bureau's Satellite Division, on June 23, 2016, ORBCOMM participated in a conference call with several Satellite Division staff members. The Satellite Division participants on the call were Jose Albuquerque, Karl Kensinger, and Stephen Duall. The ORBCOMM representatives on the call were John Stolte and Walter Sonnenfeldt. The purpose of the call was an update on the status of ORBCOMM's ongoing efforts to collaborate with the applicants in the three above-referenced proceedings to address the Commission's unresolved concerns regarding issues raised in ORBCOMM's respective pleadings.

ORBCOMM explained that, on June 14, 2016, ORBCOMM provided Planet Labs with a written assessment (the "ORBCOMM Assessment") of Planet Labs' recently conducted modeling analysis (the "Planet Labs Study") examining the probability of in-plane collisions arising from Spaceflight, Inc.'s proposed SHERPA mission deployment of approximately 90 satellites into a single elliptical orbit plane (File No. SAT-STA-20150821-00060). ORBCOMM advised the Commission that ORBCOMM's evaluation of the information it was provided describing the Planet Labs Study revealed that the assumptions and methodology used in the modeling analysis appear to produce an incorrect conclusion that substantially understates the probable risk of in-plane collisions that could arise from the proposed SHERPA mission. ORBCOMM also advised the Commission that the ORBCOMM Assessment included specific comments and suggestions intended to provide a constructive basis for addressing the identified issues and concerns. As of the June 23rd call with the Commission, ORBCOMM had not received Planet Labs' response to the ORBCOMM Assessment, and the Commission was advised as such.



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During the call it was also reiterated that the Commission's Rules and policies place the onus on Spaceflight to demonstrate that the proposed deployment of approximately 90 SHERPA mission secondary payload satellites will not create unacceptable risks of in-orbit collisions or debris hazards. In this regard, ORBCOMM advised the Commission that Spaceflight is still not engaging in efforts to address these concerns. Consequently, ORBCOMM renewed its recommendation that the Commission should require Spaceflight to: (i) compile and provide the technical parameters necessary to conduct in-orbit collision analysis for all satellites on the final proposed SHERPA mission manifest; (ii) provide the details regarding the proposed manner and order of release of these satellites from the SHERPA deployment vehicle; (iii) perform orbital debris and in-orbit collision analysis (including in-plane collisions during the orbital life of the proposed SHERPA mission satellites, and possible collisions with ORBCOMM Generation 2 satellites) for all satellites on the final proposed SHERPA mission manifest; and (iv) file all such information on the record of the Spaceflight application.¹

Also during the call, ORBCOMM reconfirmed that it appears possible to reach an agreement with Planet Labs on mutually acceptable Planet Labs license conditions relating to in-orbit collision avoidance, and cooperative procedures to be used in the case of a conjunction alert involving ORBCOMM and Planet Labs satellites (File No. SAT-MOD-20150802-00053). ORBCOMM also continues to assume that a similar agreement (modeled on the Planet Labs/ORBCOMM example, once completed) can be reached between ORBCOMM and Spire Global, Inc. (File No. SAT-LOA-20151123-00078) could be able to reach a similar agreement. ORBCOMM advised the Commission that it remains committed to work towards completion of these agreements, and towards the resolution of concerns regarding possible in-plane collision risks and debris hazards arising from the proposed SHERPA mission satellite deployments.

As a further update, based on correspondence ORBCOMM received this morning from Planet Labs, it appears that Planet Labs may choose to respond to the ORBCOMM Assessment by a submission to the record in the above-referenced proceedings, rather than continuing the informal exchange between the parties. ORBCOMM has advised Planet Labs' counsel that it stands ready to proceed in any event.

¹ See, ORBCOMM Ex Parte Letter, File Nos. SAT-STA-20150821-00060; SAT-MOD-20150802-00053; SAT-LOA-20151123-00078 (June 3, 2016); *see, also*, Informal Comments of ORBCOMM on the Application of Spaceflight, Inc., Request for Special Temporary Authority, File No. SAT-STA-20150821-00060 (May 11, 2016), at pp. 2-4.

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Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically in the above-referenced proceedings. Please direct any questions regarding this submission to the undersigned.

Respectfully submitted,



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