



September 2, 2016

VIA IBFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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

Dear Ms. Dortch:

On August 31, 2016, ORBCOMM, represented by the undersigned, participated in a telephone call with Jose Albuquerque, Chief of the Satellite Division, to address the above-referenced applications filed by Planet Labs Inc. (“Planet Labs”), Spire Global, Inc. (“Spire”) and Spaceflight, Inc. (“Spaceflight”). During that call, ORBCOMM discussed the current status of the negotiations with Spire and Planet Labs. ORBCOMM confirmed that, since August 25th, it has exchanged several revisions of draft agreements with Planet Labs and Spire with counsel for Planet Labs and Spire, with almost daily follow-up discussions. ORBCOMM indicated that, despite recent Planet Labs and Spire submissions claiming that ORBCOMM has somehow been uncooperative, it currently appears that mutually acceptable agreements with Planet Labs and Spire could be concluded in a matter of days.

ORBCOMM and Dr. Albuquerque also discussed Spaceflight’s August 29, 2016 *Ex Parte* Letter indicating that SpaceX has the authority to abort separation of Spaceflight’s proposed SHERPA secondary satellite payload deployment vehicle from the Falcon 9 second stage in the event of a launch mission anomaly that precludes release of the SHERPA in the specified 450 x 720 km elliptical orbit. ORBCOMM underscored the fact that the agreements in negotiation with Planet Labs and Spire regarding the deployment of their respective spacecraft on Spaceflight’s proposed SHERPA mission are orbit-specific (*i.e.*, the specified 450 x 720 km elliptical orbit). Any alteration of these proposed deployments could have a substantial material adverse impact on the potential for in-orbit collisions with ORBCOMM satellites. Furthermore, given that SpaceX is not a proposed licensee in the above-referenced proceedings, ORBCOMM reiterated the need in relation to the above-referenced applications for clear license condition criteria; *both* for aborting SHERPA separation from the Falcon 9 second stage, as well as for aborting release of the SHERPA mission secondary payload satellites, in the event of a SpaceX



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Formosat-5 launch mission anomaly that precludes lowering the Falcon 9 2d stage from the Formosat-5 720 km circular release orbit to the specified 450 x 720 km SHERPA release orbit.

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,



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

cc: Dr. Jose Albuquerque