

← GRANT IN PART / DEFER IN PART →

S2348 SAT-MOD-20160408-00033 IB2016000872
DG Consents Sub, Inc.
WorldView-4



File # SAT-MOD-20160408-00033

Call Sign S2348 Grant Date 08/05/16
(or other identifier)

From see conditions Term Dates see conditions To: conditions

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

Approved by OMB
3060-0678

Date & Time Filed: Apr 8 2016 3:27:09:446PM
File Number: SAT-MOD-20160408-00033

*with conditions

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 WV-4 Authorization

1-8. Legal Name of Applicant

Name:	DG Consents Sub, Inc.	Phone Number:	703-480-6338
DBA Name:		Fax Number:	703-480-8174
Street:	2325 Dulles Corner Boulevard	E-Mail:	demitrius.anthony@digitalglobe.com
	Suite 1000		
City:	Herdon	State:	VA
Country:	USA	Zipcode:	20171 -
Attention:	Mr. Demitrius M. Anthony		

**ATTACHMENT TO GRANT
 DG Consents Sub, Inc.
 IBFS File No. SAT-MOD-20160408-00033**

IBFS File No(s):	SAT-MOD-20160408-00033	<p>GRANTED IN PART/DEFERRED IN PART – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	DG Consents Sub, Inc.	
Call Sign:	S2348	
Satellite Name:	WorldView-4	
Orbital Location: (required station- keeping tolerance)	NGSO (see condition 6 below)	
Administration:	United States of America	
Nature of Service:	Earth Exploration Satellite Service (EESS)	
Scope of Grant:	Modification of EESS space station authorization for WorldView-4 (formerly known as GeoEye-2) to operate at an altitude between 496 kilometers and 770 kilometers. DG Consents is also granted an extension of the launch and operation milestone for WorldView-4 to November 10, 2016, and a determination that DG Consents has met the first three milestones established for WorldView-4. ¹	
Service Area(s):	See IBFS File No. SAT-MOD-20160408-00033, Exhibit 43 at 4; SAT-MOD-20120427-00079, Technical Annex at TA-15.	
Frequencies:	8025-8400 MHz (space-to-Earth) Telemetry and Tracking: 120 kHz channel centered in 8386 MHz Receive command: 64 kHz channel centered in 2052 MHz.	

Operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission’s rules not waived herein. This grant is also subject to the following conditions:

1. The power flux-density from operation of the WorldView-4 space station in the 8025-8400 MHz band must not exceed the limits in No. 22.5 or Table 21-4 of the International Telecommunication Union’s Radio Regulations or the limits in ITU-R Recommendation SA-1157.
2. Given the opportunity for additional entrants to operate in WorldView-4’s requested frequency bands, we grant DG Consents’s request for a waiver of the modified processing round requirements of 47 CFR §§ 25.156 and 25.175. See *DigitalGlobe, Inc.* Order and Authorization, 20 FCC Rcd 15696 (Sat. Div., Int’l Bur. 2005) at para. 8.
3. Because DG Consents must comply with the technical requirements in Part 2 of the Commission’s rules and the above-referenced power flux-density limits, which should prevent harmful interference to other operators in the band, we grant its request for a waiver of the default service rules in 47 CFR § 25.217(b). See *DigitalGlobe, Inc., supra* at para. 15.
4. Nothing in this authorization extends the license term for Call Sign S2348, which expires on September 5, 2023. See IBFS File No. SAT-MOD-20050511-00097.
5. DG Consents’s request for an extension of the launch and operation milestone for the WorldView-4 space station, from April 10, 2016, to November 10, 2016, is GRANTED. Although DG Consents has not shown that postponement of the launch and operation of WorldView-4 was due to unforeseeable circumstances beyond its control, 47 CFR § 25.117(e), favorable action is warranted under the

¹ To the extent DG Consents seeks to modify the authorization for WorldView-4 to permit operations of the space station at any inclination and altitude between 496 and 770 kilometers within the term of its license without further action by the Commission (other than the altitude and inclination notified to the Commission under condition 6 herein), we defer action on such a request.

**ATTACHMENT TO GRANT
 DG Consents Sub, Inc.
 IBFS File No. SAT-MOD-20160408-00033**

circumstances to permit the launch of WorldView-4. DG Consents has completed the physical construction of WorldView-4 and is ready to launch the space station in the immediate future.² Based on the imminent launch of WorldView-4, we find that there is sufficient evidence to demonstrate the DG Consents has proceeded with construction of the WorldView-4 space station and that good cause exists to partially waive the “launch and begin operations” milestone. This finding is consistent with previous instances where we have found that the imminent launch of the satellite justifies a limited waiver and extension of the “launch and operations” milestone.³ This waiver, however, is conditioned on launch and commencement of operations of WorldView-4 by November 10, 2016. Given the imminent launch of WorldView-4 and the documentation provided by DG Consents,⁴ we also conclude that DG Consents has met the first three milestones established for WorldView-4.

6. Within 30 days after the launch of WorldView-4, DG Consents must file a notification with the Commission specifying the apogee and perigee altitudes and orbital inclination for the satellite.

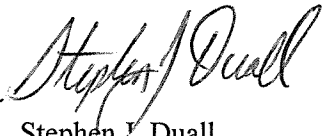
Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.

This action is taken pursuant to Section 0.261 of the Commission’s rules on delegated authority, 47 CFR § 0.261, and is effective upon release.

Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).

Action Date:	August 5, 2016	
Term Dates	From: see conditions	To: see conditions

Approved:


 Stephen J. Duall
 Chief, Satellite Policy Branch

² See Exhibit 43 at 2, 7-9. WorldView-4 is scheduled for launch on Sept. 15, 2016, aboard an Atlas V launch vehicle. See Spaceflight Now Launch Schedule, available at <https://spaceflightnow.com/launch-schedule/>.

³ See, e.g., *DIRECTV Enterprises, LLC*, Order, 30 FCC Rcd 4796 (Sat. Div. May 14, 2015); *DIRECTV Enterprises, LLC*, IBFS File No. SAT-MOD-20140624-00077 (grant stamp, Nov. 5, 2014); *Orbcomm License Corp.*, IBFS File Nos. SAT-MOD-20111021-00207, SAT-AMD-20140116-00006 (grant stamp, Mar. 26, 2014); *EchoStar Satellite Corporation Application for Modification of Authorization to Construct, Launch, and Operate a Ku-band Satellite System in the Fixed-Satellite Service*, Order and Authorization, DA 03-2560, 18 FCC Rcd 15875, 15877-78, para. 9 (Int’l Bur. 2003).

⁴ Request for Waiver to Demonstrate Compliance with Satellite Implementation Milestones, IBFS File No. SAT-MOD-20120427-00079

9-16. Name of Contact Representative

Name:	Philip A Bonomo	Phone Number:	202-416-6773
Company:	Lerman Senter PLLC	Fax Number:	202-293-7783
Street:	2001 L Street, NW Suite 400	E-Mail:	pbonomo@lermansenter.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036-
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
- 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

TYPE OF SERVICE

<p>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:</p> <p><input type="checkbox"/> a. Fixed Satellite</p> <p><input type="checkbox"/> b. Mobile Satellite</p> <p><input type="checkbox"/> c. Radiodetermination Satellite</p> <p><input checked="" type="checkbox"/> d. Earth Exploration Satellite</p> <p><input type="checkbox"/> e. Direct to Home Fixed Satellite</p> <p><input type="checkbox"/> f. Digital Audio Radio Service</p> <p><input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p><input checked="" type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply.</p> <p><input type="checkbox"/> Using U.S. licensed satellites</p> <p><input type="checkbox"/> Using Non-U.S. licensed satellites</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p><input checked="" type="radio"/> Connected to a Public Switched Network <input checked="" type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).</p> <p><input type="checkbox"/> a. C-Band (4/6 GHz) <input type="checkbox"/> b. Ku-Band (12/14 GHz)</p> <p><input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.)</p> <p>Frequency Lower: 2025.0000 Frequency Upper: 8400.0000 (Please specify additional frequencies in an attachment)</p>	

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?	<input type="radio"/> Yes <input checked="" type="radio"/> No
30. Is the applicant an alien or the representative of an alien?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> 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?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> 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

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.

Yes No

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

Yes No

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.

Yes No

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.

Exhibit 40

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.)

Applicant requests modification of its EESS NGSO space station authorization licensed under Call Sign S2348 to

Exhibit 43

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.

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