

# SheppardMullin

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August 7, 2018

File Number: 48HH-268121

**\*\* EXTENSION OF TIME TO FILE PLEADINGS \*\***

VIA IBFS

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



SAT-MOD-20180319-00022  
File # SAT-AMD-20180104-00004  
S2363  
Call Sign S2994 Grant Date 08/06/18  
(or other identifier)  
Term Dates 08/20/18  
From \_\_\_\_\_ To: 08/27/18  
Approved: *Stephen J. Duell*

Re: **Petition for Extension of Time**  
**IBFS File No. SAT-MOD-20180319-00022, Call Sign S2963 & File No. SAT-AMD-**  
**20180104-00004, Call Sign S2994**

- see attachment to grant -

Dear Ms. Dortch:

As a result of pervasive technical issues experienced by users of the Commission's International Bureau Filing System ("IBFS"), WorldVu Satellites Limited ("OneWeb") respectfully requests a brief extension of time to file a responsive pleading or pleadings to all Comments or Petitions recently filed by third parties regarding the above-referenced applications until August 27, 2018.<sup>1</sup> For the reasons set forth herein, grant of the extension is in the public interest.

On July 30, 2018, comments and petitions were due in response to the above-referenced modification application filed by OneWeb (the "March 2018 filing").<sup>2</sup> As a result of technical issues related to IBFS, only the Comments filed by Space Exploration Holdings, LLC are reflected in IBFS as timely filed. Moreover, on August 6, 2018, comments and petitions were due in response to the above-referenced amendment to pending application filed by OneWeb (the "January 2018 filing"). Problems related to IBFS have continued to plague OneWeb's ability to respond even with respect to OneWeb's January 2018 filing. For example, on August 3, 2018, the undersigned received via U.S. mail a service copy of Comments filed by The Boeing Company ("Boeing Comments"). The Boeing Comments explicitly relate to both the January and March 2018 filings. Yet, as of this afternoon, the Boeing Comments are still not reflected in IBFS.

<sup>1</sup> See 47 C.F.R. § 25.154(c).

<sup>2</sup> See Satellite Policy Branch Information, *Space Station Applications Accepted for Filing*, Public Notice, Report No. SAT-01325, at 2 (IB 2018); see also 47 C.F.R. § 25.154(a)(2).

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OneWeb acknowledges that extension requests are not routinely granted by the Commission.<sup>3</sup> However, the Commission has consistently granted extensions of time where malfunctioning electronic filing systems have created administrative burdens for parties.<sup>4</sup> Here, the ongoing technical issues associated with IBFS have resulted in uncertainty and delay as OneWeb has worked to confirm that it has actually received all responsive pleadings filed to date, or that pleadings with which it was served were in fact properly filed with the Commission. This dynamic has resulted in delays impacting OneWeb's ability to substantively review the record and develop appropriate legal and technical responses to the arguments raised in this proceeding within the required timeframe to file a responsive pleading.

Therefore, OneWeb respectfully requests an extension of the deadline to file its Opposition and Response to Comments related to both OneWeb's March 2018 filing and its January 2018 filing until August 27, 2018.<sup>5</sup>

Please contact the undersigned with any questions regarding this submission.

Very truly yours,

/s/ Brian D. Weimer

Brian D. Weimer  
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

Cc: Jose Albuquerque (Satellite Division)  
Stephen Duall (Satellite Division)

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<sup>3</sup> 47 C.F.R. § 1.46(a).

<sup>4</sup> See e.g., *Media Bureau Extends Deadline for MVPDs to File EEO Program Annual Reports (FCC Form 396-C) to October 16, 2017, and Identifies Those That Must Respond to Supplementary Investigation Questions*, Public Notice, 32 FCC Rcd 6930 (MB 2017) (extending deadline due to technical difficulties); *Non-ECFS Filing Deadlines Extended Due to Unavailability of FCC Systems*, Public Notice, 30 FCC Rcd 9872 (2017) (extending deadline so as to not penalize parties "for the technical inability to make required filings during the time that the Commission's online systems are not available"); *In the Matter of Bell Atlantic Progress Report on Compliance With Bell Atlantic/NYNEX Merger Order Conditions*, 14 FCC Rcd 4403 (1999) (extending deadlines where technical difficulties resulted in comments being not readily available to the public until after the comment filing date).

<sup>5</sup> See 47 C.F.R. § 25.154(c).

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William Wiltshire (Counsel to SpaceX)  
Karis Hastings (Counsel to SES Americom, Inc. and O3b Limited)  
Bruce Olcott (Counsel to The Boeing Company)  
Edward Yorkgitis (Counsel to Elefante Group)  
Scott Harris (Counsel to Iridium Constellation, LLC)

**Attachment to Grant  
WorldVu Satellites Limited  
Petition for Extension of Time  
August 8, 2018**

**IBFS File No. SAT-MOD-20180319-00022**

The Satellite Division grants the petition filed by WorldVu Satellites Limited (OneWeb) to extend the time to file responsive pleadings to comments and petitions filed by third-parties regarding the above-captioned application. The above-captioned application was accepted for filing on June 29, 2018. Public Notice, Satellite Policy Branch Information: Space Station Applications Accepted for Filing, Report No. SAT-01325. Oppositions and other pleadings were due on July 30, 2018. Technical difficulties with the International Bureau's Filing System (IBFS) hindered the electronic filing of pleadings in response to OneWeb's application and prevented OneWeb from viewing pleadings that were filed. The Division finds that the difficulties with IBFS justify an extension of time to file responsive pleadings. Accordingly, the deadline to file oppositions to petitions to deny or responses to comments and informal objections pursuant to Section 25.154(c) of the Commission's rules is extended from August 9, 2018, until August 27, 2018. The deadline for parties to file reply comments pursuant to Section 25.154(d) is extended until September 4, 2018.

**IBFS File No. SAT-AMD-20180104-00004**

The Satellite Division grants the petition filed by WorldVu Satellites Limited ("OneWeb") to extend the time to file responsive pleadings to comments and petitions filed by third-parties regarding the above-captioned application. The above-captioned application was accepted for filing on July 6, 2018. Public Notice, Satellite Policy Branch Information: Space Station Applications Accepted for Filing, Report No. SAT-01327. Oppositions and other pleadings were due on August 6, 2018. Technical difficulties with the International Bureau's Filing System (IBFS) prevented the electronic filing of pleadings in response to OneWeb's application and prevented OneWeb from viewing pleadings that were filed. The Division finds that the difficulties with IBFS justify an extension of time to file responsive pleadings. Accordingly, the deadline to file oppositions to petitions to deny or responses to comments and informal objections pursuant to Section 25.154(c) of the Commission's rules is extended from August 16, 2018, until August 27, 2018. The deadline for parties to file reply comments pursuant to Section 25.154(d) is extended until September 4, 2018.



Stephen J. Duall  
Chief, Satellite Policy Branch

**Attachment to Grant  
WorldVu Satellites Limited  
Petition for Extension of Time  
August 8, 2018**

**IBFS File No. SAT-MOD-20180319-00022**

The Satellite Division grants, in part, the petition filed by WorldVu Satellites Limited (OneWeb) to extend the time to file responsive pleadings to comments and petitions filed by third-parties regarding the above-captioned applications.

OneWeb's application in IBFS File No. SAT-MOD-20180319-00022 was accepted for filing on June 29, 2018. Public Notice, Satellite Policy Branch Information: Space Station Applications Accepted for Filing, Report No. SAT-01325. Oppositions and other pleadings were due on July 30, 2018. OneWeb's application in IBFS File No. SAT-AMD-20180104-00004 was accepted for filing on July 6, 2018. Public Notice, Satellite Policy Branch Information: Space Station Applications Accepted for Filing, Report No. SAT-01327. Oppositions and other pleadings were due on August 6, 2018.

Commencing on July 30, 2018, technical difficulties with the International Bureau's Filing System (IBFS) hindered the electronic filing of pleadings in response to OneWeb's application and prevented OneWeb from viewing pleadings that were filed. These technical difficulties were resolved by August 8, 2018.

The Division finds that the technical difficulties with IBFS justify an extension of time to file responsive pleadings. Although OneWeb asks for an extension of time through August 27, 2018, we find that the requested length of extension is more than what is needed to compensate for the technical difficulties with IBFS and instead grant the extension of time for both IBFS File No. SAT-MOD-20180319-00022 and IBFS File No. SAT-AMD- 20180104-00004 until August 19, 2018, which is ten days from the resolution of the last of the IBFS technical difficulties and which more closely comports with the 10-day period to file oppositions and other pleadings under Section 25.154(c). Because August 19 is a "holiday," as defined by Section 1.4(e)(1) of the Commission's rules, the deadline to file oppositions to petitions to deny or responses to comments and informal objections will fall on **August 20, 2018**. The deadline for parties to file reply comments pursuant to Section 25.154(d) is similarly extended until **August 27, 2018**.



Stephen J. Duall  
Chief, Satellite Policy Branch