

July 16, 2020

**BY ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: *Viasat, Inc., IBFS File No. SAT-MPL-20200526-00056*

Dear Ms. Dortch:

This letter is in response to Viasat's most recent refusal to provide necessary information to support the proposed "modification" of its existing authorization to provide service in the U.S. from a non-geostationary orbit ("NGSO") fixed-satellite service ("FSS") system.<sup>1</sup> Viasat attempts once again to distract from the shortcomings in its own application by focusing on unrelated modifications from other operators.

Viasat requests that the Commission authorize a fourteen-fold increase in the number of satellites it can use to provide service in the United States from its non-U.S. licensed NGSO satellite system, while still remaining in the first processing round. Ironically, despite its unprecedented request, Viasat has made its appeal for equal treatment with other applicants the centerpiece of its refusal to provide information about its application. Any implication of unequal treatment is wrong both in the specific and in general. If anything, Viasat is seeking preferential treatment not afforded to others.

First, Viasat is asking to be allowed to omit specific data that SpaceX provided as part of its own modification application. Viasat repeatedly makes the misleading claim that it used the same *methodology* that SpaceX used in its previous modifications, yet Viasat is refusing to provide the same underlying *data* that SpaceX provided. While Viasat seems to have used SpaceX's previous modification as a model for a strong application, Viasat expressly chose to omit key data SpaceX included in its application. As just one example, Viasat does not disclose what methodology it used for beam selection (e.g., random, highest elevation, etc.) in its analysis. If Viasat truly wants equal treatment, it should provide the same data as SpaceX.

Second, Viasat is asking that its entire application receive unprecedented consideration in the first processing round. SpaceX has never asked to increase the number

---

<sup>1</sup> Letter from Christopher J. Murphy to Marlene H. Dortch, IBFS File Nos. SAT-MPL-20200526-00056 and SAT-MOD-20200417-00037 (July 2, 2020).

Marlene H. Dortch

July 16, 2020

Page 2 of 2

of satellites as part of its first-round license. In fact, Viasat's modification is much more similar to the modification application filed by OneWeb; both non-U.S. operators asked to significantly grow the number of satellites with access to the U.S. market (although Viasat's request makes OneWeb's request to triple the size of its authorization seem modest).<sup>2</sup> Yet, the Commission relegated OneWeb's application to a later processing round,<sup>3</sup> while Viasat ignores this precedent and continues to ask for its modification to be considered as part of the first round.

Once again, SpaceX urges the Commission to look past Viasat's bald attempts to distract from the shortcomings in its application. To be consistent with how other operators have been treated, the Commission should request from Viasat the additional information SpaceX has previously provided before putting Viasat's application out for public comment. This information is necessary to make the critical threshold determination of how to process the pending application.

Very best regards,

*/s/ David Goldman*

David Goldman  
Director of Satellite Policy

SPACE EXPLORATION  
TECHNOLOGIES CORP.  
1155 F Street, NW  
Suite 475  
Washington, DC 20004  
Tel: 202-649-2641  
Email: [David.Goldman@spacex.com](mailto:David.Goldman@spacex.com)

---

<sup>2</sup> See Application for Modification, IBFS File No. SAT-MOD-20180319-00022 (Mar. 19, 2018).

<sup>3</sup> See Public Notice, 35 FCC Rcd. 2881 (2020).