

WILKINSON) BARKER) KNAUER) LLP
EXT OF TIME TO REPLY ONLY



File # SAT-PDR-20180910-00069

Call Sign S3038 Grant Date 12/20/18

(or other identifier)

Term Dates
From 12/20/18 To: 01/21/19

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

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December 12, 2018

Mr. Jose P. Albuquerque
Chief, Satellite Division, International Bureau,
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20010

S3038
Hiber Inc.
HIBERBAND

SAT-PDR-20180910-00069

IB2018005634

Re: *Hiber, Inc., Petition for Declaratory Ruling Access U.S. Market Using the Hiberband Low-Earth Orbit System;*
Call Sign S3038, IBFS File No. SAT-PDR-20180910-00069

Dear Mr. Albuquerque:

Hiber, Inc. ("Hiber") hereby responds to the letter dated November 20, 2018,¹ in which the Satellite Division ("Division") of the Federal Communications Commission's International Bureau requested additional information regarding Hiber's Petition for Declaratory Ruling ("PDR") seeking market access to the United States for Hiber's proposed non-voice, non-geostationary ("NVNG") mobile-satellite service ("MSS") system in the 399.9-400.05 MHz and 400.15-401 MHz frequency bands ("Hiberband System").²

The Division Letter asks Hiber to respond to a series of questions, including a request that Hiber conduct its Orbital Debris assessment with a current version of NASA's Debris Assessment Software ("DAS"). Hiber respectfully requests that the Commission extend the deadline for Hiber's reply for thirty days, to January 21, 2019. This brief extension will provide Hiber with sufficient time to conduct the necessary analyses so that it may provide a comprehensive response to the Commission's questions.

¹ Letter from Jose P. Albuquerque, Chief, Satellite Div., Int'l Bur., FCC, to Lynne Montgomery, Wilkinson Barker Knauer, LLP, Counsel to Hiber, Inc., IBFS File No. SAT-PDR-20180910-00069 (Call Sign S3038) (Nov. 20, 2018) ("Division Letter").

² Hiber, Inc., Petition for Declaratory Ruling to Access U.S. Market Using the Hiberband Low-Earth Orbit System, IBFS File No. SAT-PDR-20180910-00069 (Call Sign S3038) (filed Sept. 10, 2018).

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Although the Commission does not routinely grant extensions of time,³ the circumstances justify an extension in this case. Upon receipt of the Division Letter, Hiber contacted NASA in order to obtain the current version of the DAS in order to fully respond to the questions posed in the Division Letter. In response, NASA informed Hiber that the clearance process to obtain the new software may take several weeks which would cause Hiber to be unable to meet the December 20, 2018 deadline. Hiber has not received any additional information about when it will obtain the current version of the DAS. A grant of the requested additional time is warranted to enable Hiber to fully respond to the Division Letter.

For the foregoing reasons, Hiber requests the Commission to extend Hiber's deadline for filing its response to the Division Letter to January 21, 2019.

Sincerely,

/s/
Lynne M. Montgomery

Counsel to Hiber, Inc.

Cc: Jose Albuquerque
Stephen Duall

³ See 47 C.F.R. § 1.46(a).