



PUBLIC NOTICE

Federal Communications Commission
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SATELLITE POLICY BRANCH INFORMATION

MYRIOTA PTY. LTD. PETITION ACCEPTED FOR FILING, IBFS FILE NO. SAT-PDR-20190328-00020

CUT-OFF ESTABLISHED FOR ADDITIONAL NVNG MSS APPLICATIONS OR PETITIONS FOR OPERATIONS IN THE 399.9-400.05 MHz and 400.15-401 MHz BANDS

Myriota Pty. Ltd. petitions the Commission for a declaratory ruling to provide non-voice, non-geostationary orbit (NVNG) mobile-satellite service (MSS) to the United States using a proposed constellation authorized by Australia.¹ In this public notice we accept Myriota's petition for filing and establish a pleading cycle and *ex parte* procedures for its consideration. We also initiate a processing round for additional applications and petitions for operations in the 399.9-400.05 MHz and 400.15-401 MHz frequency bands by NVNG MSS systems, pursuant to section 25.157 of the Commission's rules.² Petitions for U.S. market access filed by Hiber, Inc., to operate in the 399.9-400.05 MHz and 400.15-401 MHz bands, and by Spire Global, Inc. to operate in the 399.9-400.05 MHz band,³ as well as the application of Spire Global, Inc. to operate U.S.-licensed satellites in these bands,⁴ will be included in this processing round.

Myriota Petition. Myriota proposes to operate a constellation of 26 satellites in low earth orbit, deployed in 18 planes with an initial altitude of approximately 600 kilometers. Myriota will operate its

¹ *Myriota Pty. Ltd., Petition for Declaratory Ruling Granting Access to the U.S. Market for Non-Voice, Non-Geostationary Satellite System*, IBFS File No. Sat-PDR-20190328-00020 (filed Mar. 28, 2019) (Myriota Petition). To access the Myriota Petition, visit <http://licensing.fcc.gov/myibfs>.

² 47 CFR § 25.157.

³ Hiber's petition was placed on public notice. Public Notice, Report No. SAT-01379 (March 22, 2019), IBFS File No. SAT-PDR-20180910-00069. Spire Global, Inc.'s petition was also placed on public notice. Public Notice, Report No. SAT-01390 (May 19, 2019), IBFS File No. SAT-PDR-20190321-00018. No comments were filed in response to these notices.

⁴ The Commission deferred consideration of the request to operate in the 399.9-400.05 MHz frequency band as part of prior authorizations for Spire Global, Inc. for its U.S.-licensed satellite system. See IBFS File No. SAT-LOA-20151123-00078 (grants in part issued Mar. 18, 2016; June 16, 2016; Oct. 14, 2016; Apr. 7, 2017; May 18, 2017; and Nov. 29, 2018).

NVNG MSS system using the 399.9-400.05 MHz (Earth-to-space) and 400.15-401 MHz (space-to-Earth) frequency bands. In its petition, Myriota requests a waiver of sections 25.156 and 25.157 of the Commission's rules. It also requests a limited waiver of section 25.114(c) regarding certain information to be filed in Schedule S.

Accepted for filing. The Myriota petition is accepted for filing. The Commission reserves the right to return any application or petition if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies.

Myriota pleading cycle. Interested parties may file comments or petitions to deny the Myriota Petition no later than **September 16, 2019**. Responses to comments and oppositions to petitions must be filed no later than **September 26, 2019**. Replies to oppositions must be filed no later than **October 3, 2019**.

- **Persons with Disabilities:** To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to FCC504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).
- **Electronic Filers:** Comments may be filed using the Commission's International Bureau Filing System at <http://licensing.fcc.gov/myibfs/pleading.do>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building

Ex parte status. Myriota's petition for declaratory ruling is subject to the "permit-but-disclose" provisions of the Commission's rules governing *ex parte* communications. 47 CFR § 1.1206. To provide for uniformity of treatment, we will also treat any other applications considered in this processing round under the "permit-but-disclose" provisions of the *ex parte* rules.

Additional applications. We invite additional applications and petitions for declaratory ruling for NVNG MSS satellite operations in the 399.9-400.05 MHz and 400.15-401 MHz bands. Applications and petitions filed by **October 15, 2019** will be considered together with the Myriota, Hiber, and Spire Global requests. Requests filed after this date may not be entitled to shared use of this spectrum with equal status with respect to any grant of applications or petitions filed prior to the cut-off date. Applicants and petitioners that file by the cut-off date will be afforded an opportunity to amend their requests, if necessary, to conform to any requirements or policies that may be subsequently adopted concerning satellite operations in these bands. Applications must be filed electronically through IBFS at <http://licensing.fcc.gov/myibfs>.