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June 21, 2021

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

**Re: SpaceX Services, Inc., SES-LIC-INTR2021-02141**

Dear Ms. Dortch:

DISH Network Corporation (“DISH”) requests that the Commission return the above-referenced application for earth stations in motion (“ESIMs”) filed by SpaceX Services, Inc., as it is facially defective and therefore not acceptable for filing under the Commission’s rules, 47 C.F.R. § 25.112(a)(1-2).<sup>1</sup> First, the application is styled as an “Application for Blanket Licensed Earth Stations in Motion[ (“ESIMs”)].”<sup>2</sup> The narrative also contains a solitary reference to ESIMs in a footnote.<sup>3</sup> But there is no other mention of ESIMs in the narrative, making it impossible to tell if this is an application for ESIMs or for fixed earth stations. Second, unlike SpaceX’s previous ESIM application,<sup>4</sup> which contained a very weak and insufficient waiver discussion, this application does not even mention a waiver request. Such a waiver request is required as ESIMs are not authorized for non-geostationary orbit (“NGSO”) operations in the 12.2-12.7 GHz band. Third, SpaceX only provides a sketchy technical explanation that does not allow a fully informed comparison of these proposed user terminals to the terminals already authorized.

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<sup>1</sup> DISH also requests that it be treated as a party to this proceeding. In a proceeding not designated for a hearing, any person who files a “written submission referencing and regarding such pending filing” shall be a party to the proceeding. 47 C.F.R. § 1.1202(d)(1); *see also, e.g.*, Letter from William Wiltshire, Counsel for SpaceX, to Marlene H. Dortch, Secretary, IBFS File No. SES-MOD-INTR2020-02656 (filed Sept. 22, 2020). As a result, the Commission should not allow *ex parte* presentations or other communications unless the undersigned, on behalf of DISH, receives advance notice and an opportunity to be present. 47 C.F.R. § 1.1208 n.1.

<sup>2</sup> SpaceX Services, Inc, Application for Earth Station Authorizations, File No. SES-LIC-INTR2021-02141, at 1 (June 8, 2021).

<sup>3</sup> *Id.* at 3 n.6.

<sup>4</sup> SpaceX Services, Inc, Application for Earth Station Authorizations, SES-LIC-INTR2021-00934 (March 5, 2021) (“Initial SpaceX ESIM Application”).

For these reasons, SpaceX’s application “does not substantially comply with the Commission's rules” and “is defective with respect to completeness of answers to questions, informational showings [or] internal inconsistencies.”<sup>5</sup> As a result, it should not be placed on public notice. If these deficiencies are corrected, DISH reserves the right to file further objections. Please contact the undersigned if you have any questions.

Sincerely,

/s/ Pantelis Michalopoulos  
Pantelis Michalopoulos  
Christopher Bjornson  
*Counsel to DISH Network Corporation*

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<sup>5</sup> 47 CFR § 25.112(a)(1-2).

## CERTIFICATE OF SERVICE

I, Travis West, hereby certify that, on this 21st day of June, 2021, a copy of the foregoing letter was served by electronic mail upon:

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/s/ Travis West  
Travis West