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February 22, 2022

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

Re: Swarm Technologies, Inc. Request for Extension for Commencement of Operations for American Samoa Fixed Earth Station; IBFS File No. SES-LIC-20200318-00254, Call Sign E201089

Dear Ms. Dortch:

Pursuant to Section 25.117(e) of the Commission's rules, Swarm Technologies, Inc. ("Swarm") requests an extension of time from February 23, 2022 to May 24, 2022 (an additional 90 days) to satisfy the requirements in 47 CFR § 25.133(a) & (b)(1) for the Fixed Earth Station located in American Samoa with IBFS File No. SES-LIC-20200318-00254 and Call Sign E201089.

Section 25.117(e) permits an extension of the construction period if "additional time is required due to unforeseeable circumstances beyond the applicant's control" or if "unique and overriding public interest concerns ... justify an extension."¹ As explained below and confirmed in the attached declaration, the modest extension sought here is necessary for reasons beyond Swarm's control and, if granted, would serve the public interest.

Swarm has diligently attempted to ensure timely construction of the affected earth station. However, unanticipated supply disruptions have made transportation to American Samoa and normal local operations exceptionally and unexpectedly difficult. In particular, Swarm has sent via multiple international carriers three separate packages to Pago Pago, AS, each of which contains all of the hardware required to deploy and operate the earth station under the license granted on February 23, 2021. Unfortunately, due to circumstances beyond Swarm's control, these packages have been lost, have been delayed in customs, or otherwise have taken longer than predicted to arrive at their destination. While Swarm evaluated options to courier the equipment by passenger air travel, suitable flights were unavailable.

¹ See 47 CFR § 25.117(e).

Notwithstanding these frustrations, Swarm anticipates being able to commence operations on or before May 24, 2022, or within 90 days of the applicable period of construction. Earlier today, Swarm learned that a package sent on January 4, 2022, appears finally to have reached Pago Pago, American Samoa. Swarm is in the process of verifying an expected date for local delivery. Under normal circumstances, Swarm would expect to be able to install the equipment and commence operations in relatively short order once this package (or one of the other packages) reaches its final destination. However, Swarm believes additional time may be required for local delivery and installation due to the COVID-19 pandemic. Specifically, Swarm understands that American Samoa has re-instituted “Code Red” protective measures against COVID-19.² These measures include suspensions of non-essential government operations, restrictions on operating hours for private businesses, suspensions of passenger air and sea travel, and closing of ports of entry with limited exceptions.³ In light of these developments, an extension to May 23, 2022, would be reasonable.

Granting the extension requested would serve the public interest. Installation of the gateway would allow Swarm to enhance the performance of current and planned low-cost data services provided to commercial and government customers.

Based on the foregoing, Swarm respectfully requests that the Commission grant the requested 90-day extension of time to complete construction and begin operation of its gateway in American Samoa.

Sincerely,

Kyle Wesson

Kyle Wesson, Ph.D.
Senior Regulatory Engineer
Swarm Technologies, Inc.

² See “American Samoa Confirms Community Cases of COVID-19,” RADIO NEW ZEALAND (Feb. 22, 2022 2:54AM), <https://www.rnz.co.nz/international/pacific-news/462070/american-samoa-confirms-community-cases-of-covid-19>

³ *Id.*

DECLARATION

On behalf of Swarm Technologies, Inc. ("Swarm"), I declare under penalty of perjury that the following is true and correct to the best of my current knowledge, information, and belief:

- 1) The requested extension of time is warranted due to the unforeseeable circumstances beyond Swarm's control described in the foregoing exhibit;
- 2) The requested extension of time would enhance Swarm's ability to provide low-cost satellite data services and thus serve the public interest.

Kyle Wesson

Kyle Wesson, Ph.D.

Date: February 22, 2022