

**Exhibit C**  
**PETITION FOR WAIVER OF SECTION 25.137 AND 25.114 AND OF**  
**THE U.S. TABLE OF FREQUENCY ALLOCATIONS**

**I. TO THE EXTENT THEY APPLY, GOOD CAUSE EXISTS FOR A WAIVER OF CERTAIN PORTIONS OF SECTIONS 25.137 AND 25.114**

Universal Space Network, Inc. (USN) is provided limited legal and technical information for the Sentinels-3B Satellite.<sup>1</sup> Pursuant to Section 25.137 of the Federal Communications Commission's ("Commission" or "FCC") rules, the same technical information required by Section 25.114 for U.S.-licensed space station, and certain legal information, must be submitted by earth station applicants "requesting authority to operate with a non-U.S. licensed space station to serve the United States..."<sup>2</sup> USN seeks authority to support the Launch and Early Orbit (LEOP) support of Sentinels-3B, not commercial service to the United States, and thus believes that Section 25.137 does not apply.

To the extent the Commission determines, however, that USN's request for authority to provide LEOP on a special temporary basis is a request to serve the United States with a non-U.S.-licensed satellite, USN respectfully requests a waiver of Sections 25.137 and 25.114 of the Commission's rules, to the extent that USN has not herein provided the information required by these rules.<sup>3</sup> The Commission may grant a waiver for good cause shown.<sup>4</sup> A waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

In this case, good cause for a waiver of portions of Section 25.114 exists. USN seeks authority only to conduct LEOP support for Sentinels-3B. Thus, any information sought by Section 25.114 that is not relevant to the LEOP – e.g., antenna patterns, energy and propulsion and orbital debris - USN does not have. In addition, USN would not easily be able to obtain such information because USN is not the operator of the Sentinels-3B satellite, nor is USN in contractual privity with that operator. Rather, USN has contracted with Swedish Space Corporation, Solona Sweden (SSC) to support the LEOP portion in S-Band of the Sentinels-3B satellite.

As evidenced by the Comsearch report attached to this request, USN has coordinated the LEOP of the Sentinels-3B satellite with potentially affected terrestrial operators. Moreover, as with any STA, USN will conduct the test on an unprotected, non-interference basis to government operations.

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<sup>1</sup> FCC Form 312 Section B

<sup>2</sup> 47 C.F.R. § 25.137(a)

<sup>3</sup> 47 C.F.R. §§25.137 and 25.114

<sup>4</sup> 47 C.F.R. §1.3

Because it is not relevant to the service for which USN seeks authorization, and because obtaining the information would be a hardship, USN seeks a waiver of all the technical and legal information required by Section 25.114, to the extent it is not provided herein. As noted above, USN has provided the required information to the extent that it is relevant to the LEOP service for which USN seeks authorization.

Good cause also exists to waive portions of Section 25.137, to the extent the information required is not herein provided. Section 25.137 is designed to ensure that “U.S.-licensed satellite systems have effective competitive opportunities to provide analogous services” in other countries. Here, there is no service being provided by the satellite; USN is providing TT&C while the satellite is on the way to its low earth orbit. Thus, the purpose of the information required by Section 25.137 is not implicated here. For example, Section 25.137(d) requires earth station applicants requesting authority to operate with a non-U.S.-licensed space station that is not in orbit and operating to post a bond.<sup>5</sup> The underlying purpose in having to post a bond – i.e., to prevent warehousing of orbital locations by operators seeking to serve the United States – would not be served by requiring USN to post a bond in order to conduct the 7 days of LEOP support of the Sentinels-3B satellite.

It is USN’s understanding that Sentinels-3B is licensed by ESA (European Space Agency). Sentinels-3B is the sixth of the series spacecraft meant to serve the EU. Thus, the purpose of Section 25.137 – to ensure that U.S. satellite operators enjoy “effective competitive opportunities” to serve foreign markets and to prevent warehousing of orbital locations service the United States – will not be undermined by grant of this waiver request.

Finally, USN notes that it expects to communicate with the Sentinels-3B satellite using its U.S. earth station for a period of 7 days. Requiring USN to obtain technical and legal information from an unrelated party, where there is no risk of interference and the operation will cease within 7 days would pose undue hardship without serving underlying policy objectives. Given these particular facts, the waiver sought herein is appropriate.

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<sup>5</sup> 47 C.F.R. §25.137(d)(4)

## **II. GOOD CAUSE EXISTS FOR A WAIVER OF THE UNITED STATES TABLE OF FREQUENCY ALLOCATIONS**

USN further requests a waiver of the United States Table of Frequency Allocations ("U.S. Table") as described in section 2.106 of the rules for the frequency bands 2025 – 2110 MHz (Earth-to-Space) and 2200 – 2290 MHz (Space-to-Earth).<sup>6</sup> Section footnotes allow for non-federal Government use of these bands in the United States on a case-by-case non-interference basis. Such use by USN necessitates a waiver of the U.S. Table.

Good cause exists to grant USN a limited waiver of the U.S. Table to allow LEOP support of the Sentinels-3B satellite. In considering request for case-by-case spectrum uses, the Commission has indicated that it would generally grant such waivers “where there is little potential for interference into any service authorized under the Table of Frequency Allocations and when the case-by-case operator accepts any interference from authorized services.”<sup>7</sup> USN will coordinate with other parties operating communication systems in compliance with the Table of Frequency Allocations to ensure that no harmful interference is caused. USN seeks to operate only pursuant to special temporary authorization and thus agrees to accept any interference from authorized services. In summary, USN’s operation on a non-interference, non-protected basis support waiver of the U.S. Table.

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<sup>6</sup> 47 C.F.R. §2.106

<sup>7</sup> Previously approved STA’s for Universal Space Network SES-STA-20020725-01174; SES-STA-20021112-02008; SES-STA-20040315-00475

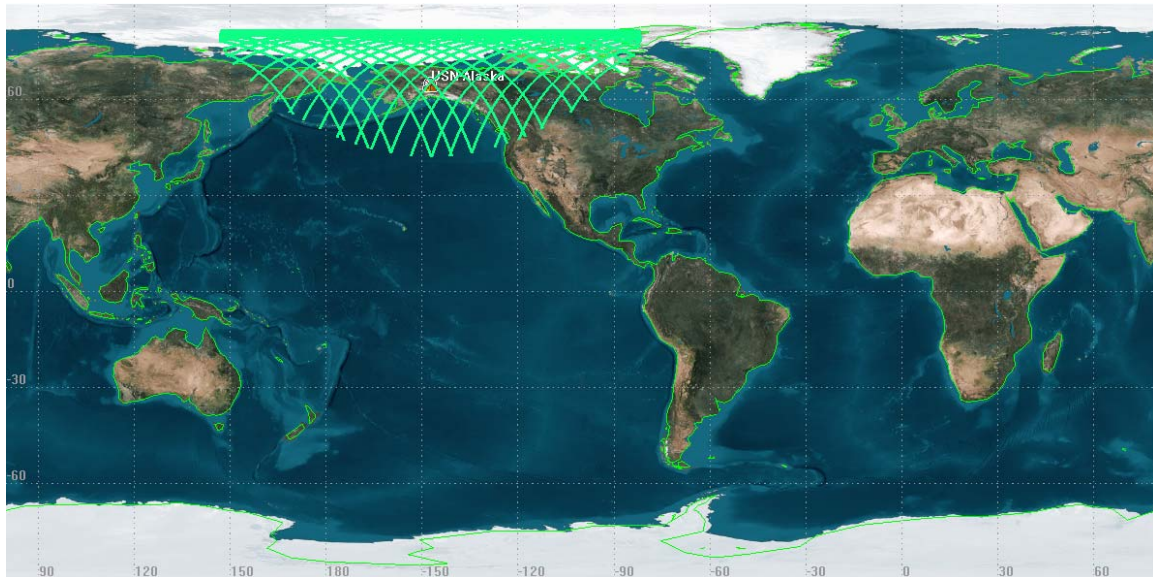
## USN LEOP support for Sentinels-3B from Alaska

Sentinels-3B is the sixth in a series of Synthetic Aperture Radar (SAR) earth observation science satellites launched by ESA to serve the European Union. Sentinels-3B will be launched from the Plestesk Russia space center on April 25<sup>th</sup>, 2018 at a nominal liftoff time of 17:58:34 UTC. The Sentinels-3B spacecraft will be supported by the USN Alaska ground station using a downlink frequency = 2254.099 MHz and uplink = 2075.650 MHz, and has been fully coordinated by Comsearch.

The LEOP support is scheduled to be conducted for 3 days with contingency to extend an additional 4 days for a total of up to 7 days at the USN tracking station in Alaska. All visible passes will not be supported, but for planning purposes it should be assumed that all the passes visible from Alaska could be supported for the first 3 days of the LEOP as shown below.

### SENTINELS-3B

```
1 90005U 00000A 18115.80379630 .00000000 00000+0 84593-2 0 00010  
2 90005 98.6290 183.7781 0001306 91.9967 262.6689 14.23757839 04
```



USN Alaska coverage of Sentinels LEOP from 25 April thru 28 April 2018

USN Alaska possible passes for Sentinels-3B 25 April thru 28 April 2018 UTC

Pass	Start Time (UTCG)	Stop Time (UTCG)
1	25 Apr 2018 19:45:21	25 Apr 2018 19:57:36
2	25 Apr 2018 21:25:26	25 Apr 2018 21:38:09
3	25 Apr 2018 23:05:29	25 Apr 2018 23:16:44
4	26 Apr 2018 00:45:00	26 Apr 2018 00:54:27
5	26 Apr 2018 02:23:21	26 Apr 2018 02:32:25
6	26 Apr 2018 04:00:56	26 Apr 2018 04:11:43
7	26 Apr 2018 05:39:11	26 Apr 2018 05:51:42
8	26 Apr 2018 07:19:14	26 Apr 2018 07:31:49
9	26 Apr 2018 09:01:58	26 Apr 2018 09:11:33
10	26 Apr 2018 17:43:24	26 Apr 2018 17:49:29
11	26 Apr 2018 19:22:24	26 Apr 2018 19:34:08
12	26 Apr 2018 21:02:26	26 Apr 2018 21:15:15
13	26 Apr 2018 22:42:32	26 Apr 2018 22:54:13
14	27 Apr 2018 00:22:13	27 Apr 2018 00:31:55
15	27 Apr 2018 02:00:52	27 Apr 2018 02:09:46
16	27 Apr 2018 03:38:30	27 Apr 2018 03:48:48
17	27 Apr 2018 05:16:28	27 Apr 2018 05:28:41
18	27 Apr 2018 06:56:02	27 Apr 2018 07:08:49
19	27 Apr 2018 08:38:02	27 Apr 2018 08:48:42
20	27 Apr 2018 17:21:47	27 Apr 2018 17:23:52
21	27 Apr 2018 18:59:27	27 Apr 2018 19:10:27
22	27 Apr 2018 20:39:23	27 Apr 2018 20:52:12
23	27 Apr 2018 22:19:31	27 Apr 2018 22:31:36
24	27 Apr 2018 23:59:20	28 Apr 2018 00:09:29
25	28 Apr 2018 01:38:17	28 Apr 2018 01:47:09
26	28 Apr 2018 03:16:03	28 Apr 2018 03:25:54
27	28 Apr 2018 04:53:48	28 Apr 2018 05:05:39
28	28 Apr 2018 06:32:55	28 Apr 2018 06:45:45
29	28 Apr 2018 08:14:16	28 Apr 2018 08:25:45
30	28 Apr 2018 09:59:27	28 Apr 2018 10:04:27
31	28 Apr 2018 18:36:32	28 Apr 2018 18:46:33
32	28 Apr 2018 20:16:19	28 Apr 2018 20:29:00
33	28 Apr 2018 21:56:26	28 Apr 2018 22:08:51
34	28 Apr 2018 23:36:23	28 Apr 2018 23:46:59

## Flux Density impinging on the ground in Alaska from Sentinels-3B

The Flux density is calculated as:

$$\text{Flux density} = \text{EIRP} \div (4 \pi Rse^2)$$

Where **Rse** is the distance from spacecraft to the ground.

Where **EIRP** is the Effective Isotropic Radiated Power of the Spacecraft.

Data from the spacecraft vendor indicates that the maximum EIRP of Sentinels-3B is -8.83 dBW. The altitude (and thus the closest distance to earth during an overhead pass) is = 692 Km.

Converting -8.83 dBW to scalar watts = 0.130 watts transmitted at 2254.099 MHz

Therefor:

$$\text{Flux density} = 0.13 \div (4 \pi * 692,000 \text{ meters}^2)$$

**Flux density = 2.160 x 10<sup>-14</sup> Watts/meter<sup>2</sup>**

Or

**Flux density = 2.160 x 10<sup>-15</sup> mW/cm<sup>2</sup>**