

April 23, 2019

**BY ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: *Space Exploration Holdings, LLC, IBFS File No. SAT-STA-20190405-00023*  
*SpaceX Services, Inc., IBFS File Nos. SES-STA-20190410-00513 through -00519*

Dear Ms. Dortch:

This is to inform you that Patricia Cooper, on behalf of Space Exploration Holdings, LLC (“SpaceX”), spoke by telephone today with Jose Albuquerque of the Commission’s International Bureau to discuss the above referenced requests for Special Temporary Authority (“STA”). SpaceX expects to launch its first tranche of non-geostationary orbit (“NGSO”) satellites in May. In anticipation of this launch, SpaceX and its sister company, SpaceX Services, Inc. (“SpaceX Services”), have filed these STA requests so that the satellites can communicate with seven earth stations during the orbit-raising phase of their deployment. WorldVu Satellites Limited (“OneWeb”) recently submitted a letter opposing those STA requests.<sup>1</sup> As discussed below, OneWeb’s objections are frivolous and seem more like a last ditch effort to delay a competitor from initiating the process that will bring true broadband services to millions of Americans in underserved and unserved areas. The Commission should reject these objections and grant the STA requests.

Much of OneWeb’s opposition arises from a fundamental misunderstanding. Specifically, OneWeb asserts that SpaceX could have avoided the need for STAs had it waited to schedule launch of its first NGSO satellites until it obtained Commission approval of the underlying applications.<sup>2</sup> To the contrary, even if the Commission had granted the pending space station modification and earth station license applications months ago, these STAs would still be necessary because regular licenses do not authorize communications with NGSO spacecraft such as these during the orbit-raising phase – only after they reach their assigned orbital positions.<sup>3</sup> Authorization for SpaceX Services’ tracking, telemetry & control (“TT&C”) earth station is

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<sup>1</sup> See Letter from Brian D. Weimer to Marlene H. Dortch, IBFS File Nos. SAT-STA-20190405-00023 et al. (Apr. 18, 2019) (“OneWeb Opposition”).

<sup>2</sup> See *id.* at 3.

<sup>3</sup> The Commission has recognized not only that STAs are appropriate in this pre-operational context, but also that “many activities in the pre-operational phase are highly transitory in nature, often involving a series of spacecraft maneuvers, and, therefore, it may be difficult to specify precise orbital parameters for those operations.” *Mitigation of Orbital Debris*, 19 FCC Rcd. 11567, ¶ 38 (2004).

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particularly critical to allow it to communicate with and control the spacecraft after deployment and throughout the orbit-raising process. As SpaceX noted in its STA request, the Commission by rule authorizes such critical capabilities for geostationary satellites from deployment through orbit-raising phases, and has proposed -- but has not yet adopted -- a similar rule for NGSO systems.<sup>4</sup> As a non-U.S.-licensed operator, OneWeb may not have been aware of this fact and the resulting necessity of an STA.

OneWeb also argues that SpaceX and SpaceX Services have failed to make the showing necessary to justify issuance of an STA.<sup>5</sup> Yet when satellites are launched, it is hard to imagine a need more critical than the ability to establish control over those satellites – which the TT&C earth station will provide. Moreover, the gateway STA requests would allow SpaceX to confirm the operational status of its satellites immediately upon orbital insertion, rather than waiting weeks while the satellites are orbit raising before determining whether the satellites are functioning properly. Accordingly, these STA requests are consistent with the Commission’s recent proposal that NGSO operators inject satellites at lower altitudes and only maneuver them up to their planned operational altitude after they have been determined to have full functionality – and its recognition that “ensuring functionality of spacecraft in a large constellation may be particularly important.”<sup>6</sup> Thus, contrary to OneWeb’s assertions, SpaceX does not seek STAs for its own convenience or for commercial reasons. Rather, its requests align with the public interest in maintaining a safe operating environment in space. In these circumstances, it would be extraordinary were the Commission to deny SpaceX the ability to communicate with its spacecraft immediately after launch.

Judging by the extensive amount of material OneWeb has filed challenging SpaceX’s modification versus the absence of technical analysis on its own RF interference or orbital debris risk in support of its proposed modifications, it seems OneWeb is more focused on stymying others from providing broadband to consumers than it is in providing service itself. But OneWeb’s commercial interests cannot override the public interest in both competition and space safety. Accordingly, the Commission should reject OneWeb’s objections and grant the requested STAs.

Respectfully submitted,



William M. Wiltshire  
*Counsel to SpaceX*

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<sup>4</sup> See 47 C.F.R. § 25.282; *Mitigation of Orbital Debris in the New Space Age*, 33 FCC Rcd. 11352, ¶ 70 (2018) (“*Orbital Debris NPRM*”).

<sup>5</sup> See OneWeb Opposition at 1-3.

<sup>6</sup> *Orbital Debris NPRM*, ¶ 48.

**HARRIS, WILTSHIRE & GRANNIS LLP**

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cc: Brian D. Weimer  
Tom Sullivan  
Jose Albuquerque  
Karl Kensinger  
Stephen Duall

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 23<sup>rd</sup> day of April, 2019, a copy of the foregoing letter was served via First Class mail upon:

Brian D. Weimer  
Sheppard Mullin Richter & Hampton LLP  
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Washington, DC 20006

/s/ Peyton J. Beatrice  
Peyton J. Beatrice