

Narrative Exhibit

Haras Development (“Haras”) respectfully requests Special Temporary Authority (“STA”) for 30 days beginning June 24, 2021, to provide supplemental telemetry, tracking, and command (“TT&C”) services to the ION SCV-003 spacecraft from its Earth station in Dublin, Ohio (Call Sign E181423).

The ION SCV-003 spacecraft will be operated by D-Orbit SPA (“D-Orbit”) and licensed by Italy, and will be launched from Cape Canaveral, on Space-X’s Transporter-2. D-Orbit provides launch and deployment services for CubeSats and microsats—releasing satellites at precise orbital locations. ION SCV-003 contains seven satellites that will be deployed in multiple orbits, and three payloads, for which the in-orbit demonstration will be performed. Haras has been asked by D-Orbit to provide supplemental support for TT&C operations, which Haras proposes to provide using the 2094 MHz (Earth-to-space) and 2261.50 MHz (space-to-Earth) center frequencies with a 0.5 MHz bandwidth.

D-Orbit will coordinate operations with co-frequency satellite operators in proximity to the ION SCV-003 spacecraft and provide them with the following emergency contact information: Pietro Guerrieri +39 349 589 7486. Haras will take all reasonable steps to eliminate harmful interference to or from its Earth station, in the event of harmful interference.

To the extent necessary, Haras requests waiver of Section 25.137 of the Federal Communications Commission’s (“Commission”) rules, which requires Earth station applicants requesting authority to communicate with a non-U.S. licensed space station to demonstrate that U.S.-licensed satellite systems have effective competitive opportunities to provide analogous services in the space station’s licensing country.¹ The Commission may waive any of its rules if there is “good cause” to do so.² Waiver is appropriate where “special circumstances warrant a deviation from the general rule” and “such deviation will serve the public interest” better than strict adherence to the rule.³ Generally, the Commission will grant a waiver of its rules if the relief requested would not undermine the policy objective of the rule in question and would otherwise serve the public interest.⁴ The Commission may also consider potential hardship, equity, or policy implementation factors as part of its review.⁵

¹ 47 C.F.R. § 25.137. Because Haras will provide TT&C services on a temporary basis, and not a commercial service, it understands that Section 25.137 may not apply, and that rule waiver may not be necessary. The Commission has granted similar applications for STA without requiring a market access analysis or rule waiver. *See, e.g., Intelsat License LLC, as debtor-in-possession*, Stamp Grant, SES-STA-20200103-00016 (Jan. 15, 2020) (granting Intelsat 30-day STA to provide LEOP services for French-licensed space station BB4A). Haras seeks waiver here out of an abundance of caution and only to the extent necessary.

² 47 C.F.R. § 1.3.

³ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*).

⁴ *See WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969) (*WAIT Radio*); *Northeast Cellular*, 897 F.2d at 1166.

⁵ *See WAIT Radio*, 418 F.2d at 1159.

Applicant: Haras Development
Call Sign: E181423
Request for 30-day Special Temporary Authority
Page 2 of 2

Good cause exists to waive Section 25.137 of the Commission’s rules. The purpose of Section 25.137 is to ensure that U.S.-licensed satellite systems “have effective competitive opportunities” to provide “analogous services” in the licensing country of space station.⁶ Waiver in this case would not undermine the policy objective of Section 25.137. The D-Orbit space station will communicate with the Haras Earth station on a temporary basis and only for purposes of providing supplemental TT&C support—not for purposes of providing a commercial service in the U.S. Additionally, Italy is a member of the World Trade Organization and has endorsed the Organization’s trade principles.⁷ Waiver is also appropriate considering the hardship to Haras to obtain extensive technical and legal information from an unaffiliated third-party for purposes of providing supplemental TT&C services on a temporary basis.

The public interest would be served by grant of this STA request and, to the extent necessary, request for waiver of Section 25.137. It will enable Haras to support the ION SCV-003 spacecraft’s mission to deploy its seven hosted satellites into orbit, which in turn will provide valuable satellite services to the public, as well as to perform the in-orbit demonstration for three valuable payloads, testing *inter alia* an innovative plug-and-play system that streamlines the integration of instruments and experiments developed independently by third parties, an optical communication device, on-demand, on-orbit cloud computing and data storage service, and a de-orbit subsystem to accelerate the decommissioning phase by passive means.

⁶ 47 C.F.R. § 25.137.

⁷ See World Trade Organization, Members and Observers, https://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm (last visited May 24, 2021).