

April 14, 2021

VIA IBFS

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

Re: **Notice of Ex Parte Presentation**
Space Exploration Holdings, LLC, Application for Modification of Authorization for the SpaceX NGSO Satellite System, IBFS File No. SAT-MOD-20200417-00037

Dear Ms. Dortch:

On April 12, 2021, the undersigned of Sheppard Mullin LLP, outside counsel to WorldVu Satellites Limited (“OneWeb”), along with Katie Dowd, Director of Communications for OneWeb, and Eric Graham, Director, Government & Regulatory Engagement, North America for OneWeb, (the “OneWeb Representatives”), spoke with Erin Boone, Carolyn Roddy, Adam Cassady, and Michael Sweeney, advisors to Commissioner Nathan Simington, as well as Commissioner Simington himself.

During the meeting, the discussion centered on OneWeb’s positions of record reflected in recent submissions to the Commission and incorporated by reference herein.¹ In particular, the OneWeb Representatives focused on the clear technical consensus in the record that any grant of the Third SpaceX Modification will increase the interference environment for non-geostationary, fixed-satellite systems (“NGSO FSS”)—including OneWeb.² Accordingly, the OneWeb

¹ See, e.g., Letter from Douglas Svor, Counsel to OneWeb, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-MOD20200417-00037 (filed Apr. 1, 2021); see also *Space Exploration Holdings, LLC, Application for Modification of Authorization for the SpaceX NGSO Satellite System*, IBFS File No. SAT-MOD-20200417-00037; Call Signs S2983 and S3018 (filed Apr. 17, 2020) (“Third SpaceX Modification”).

² See, e.g., Letter from Mariah D. Shuman, Corporate Counsel, Kuiper Systems, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-MOD-20200417-00037 at 1 (filed Apr. 5, 2021) (“Amazon has presented multiple analyses showing that the Third Modification would create significant interference problems”); Letter from Suzanne Malloy, Vice President, Regulatory Affairs, O3b Limited, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-MOD-20200417-00037 at 2 (filed Apr. 6, 2021) (“the Modification represents a complete system redesign that

Representatives advocated that the Commission should consider the Third SpaceX Modification as part of the March 2020 processing round for NGSO FSS systems.³

In addition, the OneWeb Representatives urged the Commission to adopt detailed conditions that adequately protect other NGSO FSS systems authorized in the 2016 processing round from increased interference events and potential in-orbit conjunction events resulting from any grant of the Third SpaceX Modification.⁴ In particular:

- Satellite Selection. The Commission should require SpaceX to choose satellites that avoid in-line interference events between SpaceX and OneWeb in both Ku- and Ka-band over CONUS.
- SpaceX Autonomous Conjunction Avoidance System. The Commission should require SpaceX to closely coordinate collision avoidance events with other operators and not rely solely on its automated system.

Finally, the OneWeb Representatives urged the Commission to affirm that OneWeb maintains home spectrum priority over SpaceX pursuant to 47 CFR 25.261(c).⁵ This could be done either through a condition on any grant of the Third SpaceX Modification or through a free-standing declaratory ruling issued concurrently with any action on the Third SpaceX Modification. The record developed in 2019 clearly demonstrates that OneWeb launched satellites in its network that are “capable of operating in the frequency band(s) under consideration” months before SpaceX did.⁶ Nothing more is required under 25.261(c). Accordingly, OneWeb has home spectrum priority over SpaceX and the Commission should affirm this clear fact.

Kindly refer any questions regarding this matter to the undersigned.

significantly changes the SpaceX system’s ‘specific characteristics’ and worsens the interference environment for SES’s operational O3b NGSO network”).

³ See *Cut-off Established for Additional NGSO FSS Applications or Petitions for Operations in the 10.7-12.7 GHz, 12.75-13.25 GHz, 13.85-14.5 GHz, 17.7-18.6 GHz, 18.8-20.2 GHz, and 27.5-30 GHz Band*, Public Notice, 35 FCC Rcd 2881 (IB 2020).

⁴ See *OneWeb Petition Accepted for Filing; Cut-Off Established for Additional NGSO-Like Satellite Applications or Petitions in the 10.7-12.7 GHz, 14.0-14.5 GHz, 17.8-18.6 GHz, 18.8-19.3 GHz, 27.5-28.35 GHz, 28.35-29.1 GHz, and 29.5-30.0 GHz Bands*, Public Notice, 31 FCC Rcd 7666 (IB 2016).

⁵ See 47 C.F.R. § 25.261(c)(1).

⁶ See *id.*; see also Letter from Brian D. Weimer, Counsel to WorldVu Satellites Limited, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-LOI-20160428-00041 (Apr. 29, 2019); Letter from Brian D. Weimer, Counsel to WorldVu Satellites Limited, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-LOI-20160428-00041 (Jul. 9, 2019).



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Very truly yours,

/s/ Brian D. Weimer

Brian D. Weimer
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

cc: Commissioner Nathan Simington
Erin Boone, Office of Commissioner Simington
Carolyn Roddy, Office of Commissioner Simington
Adam Cassidy, Office of Commissioner Simington
Michael Sweeney, Office of Commissioner Simington