

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters)	IB Docket No. 16-408
)	

COMMENTS OF SES S.A. AND O3B LIMITED

SES S.A. (“SES”) and its subsidiary O3b Limited (“O3b,” and with SES, “the Companies”) submit these comments regarding the Federal Communications Commission’s (“Commission’s”) Further Notice of Proposed Rulemaking (“FNPRM”) in the above-captioned proceeding, which seeks input on whether to remove the domestic coverage requirement for non-geostationary (“NGSO”) fixed-satellite service (“FSS”) space stations.¹ The Companies agree with the Commission that eliminating the current rules specifying that NGSO FSS systems must provide continuous coverage of the fifty states, Puerto Rico and the U.S. Virgin Islands² will serve the public interest by promoting more flexible use of spectrum resources and fostering innovation and broader access to satellite services, including the high-capacity, low-latency services provided by NGSO FSS operators like O3b. Such flexibility will in turn encourage the Companies and other satellite industry participants to continue investing in multibillion dollar networks that will support a variety of new and advanced services to customers.³

¹ *In the Matter of Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters*, Report and Order and Further Notice of Proposed Rulemaking (Sept. 27, 2017) (respectively, the “Order” and the “FNPRM”).

² 47 C.F.R. §§ 25.145(c)(2), 25.146(i)(1), 25.217(b)(1).

³ *See* SES Americom, Inc., Spectrum Frontiers Reply Comments, GN Docket No. 14-177, *et al.* at 3-4 (filed Oct. 31, 2016).

As the FNPRM acknowledges, the existing coverage requirement imposes an artificial regulatory constraint that could hamper satellite design and innovation. In particular, the rule does not accommodate systems tailored to respond to demand for satellite services in specific areas including the O3b network, which offers valuable connectivity to Americans traveling by sea but does not offer ubiquitous U.S. coverage, and a recent proposal to serve remote areas of Alaska.⁴ Eliminating the domestic coverage requirement will provide NGSO FSS operators with the flexibility to design systems to meet diverse and constantly changing customer and market needs.

Indeed, removing the domestic coverage requirement would serve the same policy goals as the Commission's decision to eliminate the prior rule requiring global coverage. As the Order discusses, commenters agreed that deleting the global coverage obligation would serve the public interest by affording operators greater design flexibility.⁵ The Commission's proposal here to do away with the domestic coverage requirement would likewise eliminate an unnecessary potential barrier to innovative NGSO services, including services that are already benefitting U.S. citizens.⁶ The Commission has noted that NGSO systems with limited coverage areas provide valuable benefits to the public,⁷ and current NGSO FSS proposals include several systems that

⁴ See FNPRM at ¶ 75.

⁵ See Order at ¶ 69 & n.156 (citing comments of The Boeing Company, Kepler Communications Inc., Lockheed Martin Corp., WorldVu Satellites Ltd d/b/a/ OneWeb, SES/O3b, Space Norway AS and Space Exploration Technologies Corp.).

⁶ *Google Using O3b Satellites to Connect Project Loon Over Puerto Rico*, (October 25, 2017), <https://www.space.com/38564-google-using-o3b-satellites-to-connect-project-loon-over-puerto-rico.html>.

⁷ See FNPRM at ¶ 75.

would provide full coverage of the U.S.⁸ As the FNPRM suggests,⁹ removing the domestic coverage requirement will allow prospective operators to develop and deploy flexible and novel NGSO systems reflecting a variety of business cases and usage scenarios without being unduly limited by regulatory constraints.

In short, SES and O3b agree with the Commission that “the most efficient way to encourage widespread service offerings by NGSO FSS systems, including in remote and underserved areas of the United States, would be to allow both general and specialized coverage systems.”¹⁰ The Commission has waived its coverage requirements in the past,¹¹ and many applicants in recent processing rounds have proposed systems that similarly require such waivers.¹² By following its removal of the global coverage rule with a similar elimination of domestic coverage requirements, the Commission will encourage the kind of innovation evident in these applications, and will facilitate the timely deployment of NGSO services in the United States.

⁸ See *Space Norway AS*, Order and Declaratory Ruling, IBFS File No. SAT-PDR-20161115-00111, Call Sign S2978, FCC 17-146 at ¶ 20 (rel. Nov. 2, 2017).

⁹ See FNPRM at ¶ 75.

¹⁰ *Id.*

¹¹ See O3b Limited Applications, SAT-LOI-20141029-00118 and SAT-AMD-20150115-00004 (granted Jan. 22, 2015).

¹² See O3b Limited Ka-Band Application, IBFS File Nos. SAT-AMD-20161115-00116, Narrative at 9-10 (filed Nov. 15, 2016); O3b Limited, IBFS File No. SAT-AMD-20170301-00026, Narrative at 8 (filed Mar. 1, 2017); SpaceX Ka-Band Application, Waiver Requests at 13-14; SpaceX V-Band Application, Waiver Requests at 9-10; Boeing V-Band Application, Narrative at 65; Boeing Ka-Band Application, Narrative at 28-29; Space Norway AS, IBFS File No. SAT-LOI-20161115-00111, Petition at 11-12 (filed Nov. 15, 2016).

The Commission's proposal, if adopted, will promote greater and more flexible use of spectrum resources. By eliminating the domestic coverage requirement, the Commission can better encourage continued innovation and greater deployment of high-capacity satellite services.

Respectfully submitted,

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