Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
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WorldVu Satellites Limited	)	
	)	
Modification to OneWeb	)	File No. SAT-MPL-2020_____
U.S. Market Access Grant for the	)	
OneWeb Ku- and Ka-Band System	)	

APPLICATION FOR MODIFICATION

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APPLICATION FOR MODIFICATION

WorldVu Satellites Limited, Debtor-in-Possession ("OneWeb"), by its attorneys and pursuant to Sections 25.117(d) and 25.137(f) of the Commission's rules, hereby requests authority to modify its Market Access Grant for its low-earth orbit ("LEO"), non-geostationary satellite orbit ("NGSO"), fixed-satellite service ("FSS") constellation (the "OneWeb System").[1] With this application (the "Modification Application"), OneWeb seeks Commission approval for two phases in the evolution of the OneWeb System. In Phase 1, OneWeb will decrease the maximum number of authorized satellites in the OneWeb System from 720 to 716 and undertake certain adjustments to the orbital parameters of its constellation. In Phase 2, OneWeb will increase the number of authorized satellites in the OneWeb System from 716 to 47,844 satellites and make other related changes to its orbital architecture. As explained herein, grant of the Modification Application serves the public interest.

[1] *See WorldVu Satellites Limited, Petition for a Declaratory Ruling Granting Access to the U.S. Market for the OneWeb NGSO FSS System*, Order and Declaratory Ruling, 32 FCC Rcd 5366 (2017) ("OneWeb Market Access Grant" or "Market Access Grant"); *see also* 47 C.F.R. §§ 25.117(d), 25.137(f).

I. INTRODUCTION AND SUMMARY

Since initiating the Ku-/Ka-band processing round for NGSO systems in 2016, OneWeb has been at the forefront of the transformative growth in NGSO-based connectivity.[2] In 2019 alone, OneWeb launched its initial batch of six satellites, brought into use its global spectrum rights, continued building out its extensive global ground station network, and commenced operations at its satellite manufacturing facility in Exploration Park, Florida.[3] This year, the manufacturing facility produced up to two satellites per day and Arianespace successfully completed two additional Soyuz vehicle launches each with 34 OneWeb satellites, resulting in 74 functioning and on-orbit spacecraft – a 100% success rate to date.[4]

Notwithstanding these considerable achievements, in March 2020 OneWeb voluntarily filed for relief under Chapter 11 of the Bankruptcy Code as a result of the significant disruptions to capital markets arising from the ongoing COVID-19 pandemic.[5] OneWeb has already secured debtor-in-possession financing and expects to soon exit the Chapter 11 process in a manner that maximizes the value of OneWeb's strategic assets and also ensures a viable path forward for its stakeholders and customers.

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[2] *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) ("First Processing Round").

[3] *See, e.g.*, Sam Fenwick, *OneWeb brings its Ku- and Ka-band spectrum into use*, Land Mobile (Aug. 8, 2019), https://www.landmobile.co.uk/news/oneweb-spectrum-satellites-leo-global-broadband/.

[4] *See* Stephen Clark, *Soyuz rocket successfully launches 34 more OneWeb satellites*, Spaceflight Now (Mar. 21, 2020), https://spaceflightnow.com/2020/03/21/soyuz-rocket-successfully-launches-34-more-oneweb-satellites/.

[5] OneWeb filed applications and notifications with the Commission reflecting the transfer of control of OneWeb and the assignment of its assets to a debtor-in-possession entity. *See, e.g.*, IBFS File No. SAT-MPL-20200406-00031 (granted Apr. 10, 2020).

The instant Modification Application represents the next step for OneWeb in light of its planned exit from the Chapter 11 process and the unique role NGSO FSS systems are poised to occupy amid the growing demand for broadband connectivity solutions.[6] As explained in Section III below, Phase 1 of OneWeb's proposed modifications involves a small reduction in the number of authorized satellites, along with corresponding changes to the orbital parameters of the OneWeb System. These modest changes to the OneWeb System will not degrade the interference environment for other NGSO FSS systems authorized in the First Processing Round, nor will they increase interference to geostationary satellite orbit ("GSO") systems or terrestrial systems. In addition, grant of OneWeb's proposed Phase 1 operations will provide OneWeb with a more robust platform for competing in the growing market for NGSO-based broadband services, which the Commission has consistently observed are a critical component of its efforts to close the digital divide.[7] Thus, consistent with the Commission's now well-established approach to such modification applications, the Commission should grant and process Phase 1 of the Modification Application outside the context of a processing round.[8]

[6] While the COVID-19 pandemic has disrupted OneWeb's access to capital markets, it has also reinforced the compelling need for providing robust connectivity services to even the most remote locations.

[7] *See, e.g.*, Chairman Ajit Pai, *Digging In for the Long Haul*, FCC Blog (Apr. 1., 2020) https://www.fcc.gov/news-events/blog/2020/04/01/digging-long-haul ("To promote new and expanded services using NGSO constellations, the Commission is committed to giving every company a fair shot at innovating and competing in the U.S. market.").

[8] *See Space Exploration Holdings, LLC, Request for Modification of the Authorization for the SpaceX NGSO Satellite System*, Order and Authorization, 34 FCC Rcd 2526, 2530 ¶ 11 (IB 2020) ("SpaceX Modification Order") (concluding that a reduction in the number of satellites and resulting spatial configurations with the potential to generate interference constitute "a fundamental element in assessing whether there would be significant interference problems as a result of granting the proposed modification.").

In its proposed Phase 2 operations, OneWeb will build upon Phase 1 of its constellation design and deployment to increase its authorized constellation size to 47,844 satellites and make corresponding adjustments to the number of orbital planes and deployment characteristics of the OneWeb System. OneWeb respectfully requests that the Commission process this portion of its application as part of the new processing round initiated for NGSO FSS systems proposing to operate in the Ku- and Ka-bands along with other similarly situated operators.[9]

This Legal Narrative identifies all changes to OneWeb's Market Access Grant that are requested by this Modification Application. Concurrently, OneWeb is submitting a Schedule S and associated data files, FCC Form 312, and updated technical attachments to account for the requested changes to its Market Access Grant. OneWeb certifies that all other information provided in its original petition for U.S. market access remains unchanged.[10]

II. THE MODIFIED ONEWEB LEO CONSTELLATION WILL CONTINUE TO SATISFY THE COMMISSION'S CRITERIA FOR U.S. MARKET ACCESS

In the *DISCO II* Order, the Commission established a framework by which a non-U.S. licensed satellite operator can seek authorization to provide service in the United States.[11] As the

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[9] *See Satellite Policy Branch Information, Cut-Off Established for Additional NGSO FSS Applications or Petitions for Operations in the 10.7-12.7 GHz, 12.75-13.25 GHz, 13.8-14.5 GHz, 17.7-18.6 GHz, 18.8-20.2 GHz, and 27.5-30 GHz Bands*, Public Notice, DA-20-325 (rel. Mar. 24, 2020) ("Second Processing Round or Second Processing Round PN") (provisionally concluding that applications from OneWeb, New Spectrum Satellite ("New Spectrum") and Kuiper Systems LLC ("Kuiper") should be included in the Second Processing Round).

[10] *See WorldVu Satellites Limited, Petition for a Declaratory Ruling Granting Access to the U.S. Market for the OneWeb System*, IBFS File No. SAT-LOI-20160428-00041 (filed Apr. 28, 2016) ("Market Access Petition"); *see also* 47 C.F.R. § 25.117(c).

[11] *See Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States*, 12 FCC Rcd 24094, at ¶ 188 (1997) ("*DISCO II* Order"); *see also Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States*, 15 FCC Rcd 7207, at ¶ 5 (1999); 47 C.F.R. §

OneWeb System is licensed by the United Kingdom, the *DISCO II* framework applies to this application.[12] The *DISCO II* framework requires that a request for U.S. market access by a non-U.S. satellite system must serve the public interest.[13] As demonstrated in its Market Access Petition and confirmed by the OneWeb Market Access Grant, the OneWeb System satisfies the *DISCO II* criteria for U.S. market access.[14]

A. Effect on Competition in the United States

Grant of the Modification Application will facilitate OneWeb's ability to offer next-generation connectivity services and position OneWeb to compete more effectively with U.S.-based satellite operators after it emerges from the Chapter 11 process. This would increase broadband competition in the U.S. market and continue to close the digital divide, which has been the "top priority" of Commission leadership.[15] Where a non-U.S. satellite licensed by a World Trade Organization ("WTO") member country seeks authority to provide a satellite service covered by the WTO Basic Telecommunications Agreement ("WTO Agreement"), the Commission presumes that foreign entry will promote competition in the United States.[16] As noted

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25.137. OneWeb respectfully submits that the modified OneWeb System will continue to meet the Commission's requirements for U.S. market access.

[12] *See* 47 C.F.R. §§ 25.137(f), 25.117(d)(1).

[13] In reviewing such requests for market access, the Commission considers the effect on competition in the United States, spectrum availability, eligibility and operational requirements, and concerns related to national security, law enforcement, foreign policy, and trade issues. *DISCO II* Order at ¶ 26.

[14] *See* Market Access Petition at 9-13; OneWeb Market Access Grant at ¶ 5.

[15] *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion,* 2020 Broadband Deployment Report, FCC 20-50, ¶ 1 (rel. Apr. 24, 2020). For example, the OneWeb System will offer the ability to deploy service to all of Alaska and many Arctic regions.

[16] *DISCO II* Order at ¶ 39.

above, the United Kingdom's telecommunications regulatory authority—the U.K. Office of Communications ("Ofcom")—issued OneWeb's radiofrequency license in Ku-band, and OneWeb is currently working with Ofcom to obtain authority for its proposed Phase 1 and Phase 2 operations.[17] The United Kingdom is a WTO member. Thus, the presumption in favor of entry applies to the Modification Application.[18]

B. Spectrum Availability

The Commission considers spectrum availability as a factor in determining whether to allow a foreign-licensed satellite to serve the U.S. market.[19] In doing so, the Commission evaluates whether grant of U.S. market access would create the potential for harmful interference with U.S.-licensed satellite or terrestrial systems. Via the instant Modification Application, OneWeb seeks market access in the same Ku-band and Ka-band spectrum as in its Market Access Petition.[20]

The Commission has already granted OneWeb access to these frequency bands.[21] In the Market Access Grant, the Commission concluded that the OneWeb System was capable of sharing

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[17] OneWeb's ITU filings through the United Kingdom have both Ku- and Ka- band, although OneWeb also used a French filing (MCSAT-LEO) for Ka-band.

[18] The United States' satellite commitments under the WTO Agreement cover FSS and mobile satellite services ("MSS," and collectively with FSS, the "WTO Covered Services"). OneWeb seeks authority to provide only WTO Covered Services in the U.S. using the OneWeb System.

[19] *See DISCO II* Order at ¶¶ 149-50.

[20] *See* Market Access Petition at 8.

[21] *See* OneWeb Market Access Grant at ¶ 1.

spectrum with other co-frequency satellite and terrestrial systems.[22] To that end, OneWeb has been actively coordinating its existing and planned operations with other NGSO FSS operators.[23] In Technical Attachment A included with this application, OneWeb demonstrates that the proposed reduction in the number of authorized satellites from 720 to 716 and the corresponding change in orbital architecture during the Phase 1 deployment will not degrade the interference environment for other satellite or terrestrial systems.[24] Accordingly, the Commission should process this portion of the Modification Application outside of the context of a processing round, as explained further in Section III below.

C. National Security, Law Enforcement, Foreign Policy, and Trade

The Commission noted in its *DISCO II* Order that issues of national security, law enforcement, foreign policy, and trade are likely to arise only in very rare circumstances.[25] The Commission further noted that it would accord deference to the expertise of the Executive Branch in identifying and interpreting issues of this nature.[26] The Commission identified no national security, law enforcement, foreign policy, or trade issues in the OneWeb Market Access Grant, and OneWeb respectfully submits that the instant Modification Applications raises no additional issues in these areas.[27] Hence, this element of the *DISCO II* Order analysis remains unchanged.

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[22] *See* Market Access Grant at ¶ 18.

[23] *See, e.g.*, Letter from Brian D. Weimer, Counsel to OneWeb, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-LOI-20160428-00041 (Aug. 15, 2019) ("OneWeb has already begun coordination discussions with numerous other NGSO FSS operators…").

[24] *See* Technical Attachment A at A.8.2.

[25] *DISCO II Order* at ¶ 180.

[26] *Id.*

[27] OneWeb Market Access Grant at ¶ 5.

D. Eligibility and Operational Requirements

Pursuant to Sections 25.117(d) and 25.137 of the Commission's rules, applicants seeking to modify their grants of market access for non-U.S. licensed space stations must provide the legal and technical information for the non-U.S. space stations required by Part 25 of the Commission's rules, including Section 25.114.[28]

To the extent necessary, OneWeb incorporates by reference all of the technical information set forth in the technical attachment attached to the Market Access Petition and all updated technical information set forth in the technical attachments filed with this Modification Application.[29] That information, and information in the associated Schedule S, FCC Form 312, and all associated attachments, demonstrates compliance with the requirements of Sections 25.117, 25.137, and the other applicable Sections of Part 25 of the Commission's rules. OneWeb certifies that, apart from the updated information included in this Legal Narrative and in the updated technical attachments and associated documents, no other information has changed since the initial Market Access Petition.[30] In addition, OneWeb highlights here certain Part 25 rules that warrant special attention:

1. *Section 25.114(d)(14) – End of Life Disposal*

The Commission has long recognized that non-U.S. licensed space stations can satisfy the Commission's orbital debris rules "by demonstrating that debris mitigation plans for the space station(s) for which U.S. market access is requested are subject to direct and effective regulatory

[28] *See* 47 C.F.R. §§ 25.117(d)(1), 25.137(f).

[29] *See* Market Access Petition.

[30] An updated ownership exhibit is also included as an attachment to this application.

oversight by the national licensing authority."[31] The Commission recently reaffirmed this approach and continues to allow non-U.S. licensed space stations to satisfy the orbital debris disclosure requirements by demonstrating direct and effective regulation by a regulatory authority outside the United States.[32]

As noted in the Market Access Grant, OneWeb's orbital debris mitigation plans are subject to direct and effective regulatory oversight by the United Kingdom's regulatory authorities—including the U.K. Space Agency ("UKSA")—which will also have oversight of OneWeb's proposed Phase 1 and Phase 2 operations.[33] Of course, OneWeb will provide orbital debris mitigation information to the extent requested by the FCC.

2. *Sections 25.137(d)(4) & 25.165 – Posting of Bond*

These rules require a market access grantee to post an initial surety bond to provide for payment in the event that such NGSO system licensee fails to meet the Commission's milestone requirement, and to escalate the bond amount pro rata, up to $5 million for an NGSO system, in proportion to the time that elapses after the market access grant. OneWeb has already posted its initial surety bond and will escalate its bond amount as required under the Commission's rules.

III. GRANT OF THE MODIFICATION APPLICATION WOULD SERVE THE PUBLIC INTEREST

Pursuant to this Modification Application, OneWeb proposes a two-phased constellation deployment as it prepares to exit Chapter 11 bankruptcy. *First*, in Phase 1, OneWeb will decrease slightly the number of satellites in the OneWeb System and make minor changes to the architecture

[31] 47 C.F.R. § 25.114(d)(14)(v).

[32] *Mitigation of Orbital Debris in the New Space Age*, Report and Order and Further Notice of Proposed Rulemaking, IB Dkt. No. 18-313, FCC 20-54, ¶ 144-45 (rel. Apr. 24, 2020).

[33] *See* Market Access Grant, ¶ 25(c).

of its system, including the detailed orbital configuration of its constellation. *Second*, in Phase 2, OneWeb plans to operate an NGSO FSS constellation that includes up to 47,844 authorized satellites, with additional changes in orbital architecture and deployment. These changes are reflected in the following chart:[34]

OneWeb System Architecture	**Market Access Grant**	**Phase 1**		**Phase 2**		
Orbital Altitude (km)	1200	No change		No change		
Frequencies (GHz)	10.7-12.7, 14-14.5, 17.8-18.6, 18.8-19.3, 27.5-29.1, 29.5-30	No change		No change		
Total Number of Satellites	720	716		47,844		
Number of Satellites per Shell	720	588	128	1,764	23,040	23,040
Number of Planes	18	12	8	36	32	32
Number of Satellites Per Plane	40	49	16	49	720	720
Orbital Inclination	87.9°	87.9°	55°	87.9°	40°	55°

As demonstrated below, grant of the Modification Application would serve the public interest.

[34] For Phase 1 Operations, 588 satellites will be of the current OneWeb spacecraft design, while the additional 128 will be of a modified design, intended to improve frequency re-use and capacity. The three shells in Phase 2 also indicate expected design modifications.

A. Phase 1 of this Modification Application Does Not Increase the Potential for Interference and Should Be Considered Outside the Context of an NGSO Processing Round

OneWeb respectfully requests the Commission process the Phase 1 portion of the Modification Application outside the context of a processing round.[35] Granting the Phase 1 portion of the Modification Application outside the context of a processing round would be consistent with the Commission's past approach to similar modification requests outside the process round framework. Section 25.117(d)(2) of the Commission's rules establishes that modifications of NGSO FSS system are granted unless an applicant is seeking to "increase the authorized bandwidth" or where grant would "not serve the public interest, convenience, and necessity."[36] Here, OneWeb's proposed Phase I operations are not seeking to increase the bandwidth, and as explained below, grant of those operations outside the context of a processing round would serve the public interest.

In *Teledesic*, the Commission summarized its standard for treating modification applications, "recogniz[ing] that…'[i]f the proposed modification does not present any significant interference problems and is otherwise consistent with Commission policies, it is generally granted.'"[37] The Commission reaffirmed this standard in granting modification requests from

[35] To the extent necessary, OneWeb respectfully requests a waiver of Sections 25.155(b) and 25.157 of the Commission's rules to allow for comparative consideration of the proposed Phase 1 modification with other applicants in the First Processing Round.

[36] 47 C.F.R. § 25.117(d)(2)(ii), (iv).

[37] *Teledesic LLC*, Order and Authorization, 14 FCC Rcd 2261, 2264 ¶ 5 (IB 1999) (quoting *GTE Spacenet Corp. Application to Modify Construction Permit and License for the GSTAR 4 Satellite*, 5 FCC Rcd. 4112, 4112 (1990); *American Satellite Company Application for Modification of Construction Permit and License for the ASC-2 Satellite*, 5 FCC Rcd 1186, 1186 ¶ 5 (1990)).

numerous first-generation NGSO systems outside of a processing round.[38] More recently, the Commission has granted several modifications and amendment applications filed by applicants in the First Processing Round outside the context of the processing round framework upon concluding that those proposals presented no significant interference concerns.[39] As shown above and demonstrated in the technical attachments to this Modification Application, OneWeb proposes no change in the frequencies utilized and no change in the orbital altitude of its satellites. In both phases, only the number of satellites and certain orbital parameters will change. Therefore, there will be no change to the overall interference environment for the Phase 1 deployment, and the Commission should, at a minimum, process that portion of this Modification Application outside the context of an NGSO processing round, as it has done for similar applications in the past.[40]

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[38] *See, e.g.*, *ICO Satellite Services GP*, Memorandum Opinion and Order, 20 FCC Rcd. 9797, 9800 ¶ 11 (IB 2005) ("[T]he Commission has consistently granted applications for modification of systems in satellite services when the proposed modifications present no significant interference problem and are otherwise consistent with Commission policies."); *The Boeing Company*, Order and Authorization, 18 FCC Rcd 12317, 12319 ¶ 7 (IB & OET 2003) ("[T]he Bureau has granted [modification applications] in cases where the proposed modification presents no significant interference problem and is otherwise consistent with Commission policies."); *DigitalGlobe, Inc.*, Order and Authorization, 20 FCC Rcd 15696, 15700 ¶ 9 (2005) (reaffirming "[i]f a proposal will not cause interference to other licensed operations, the Commission generally authorizes it if it is otherwise in the public interest").

[39] *See, e.g.*, *O3b Limited*, Order and Declaratory Ruling, 33 FCC Rcd 5508, 5524 ¶ 39 (IB 2018) (concluding that O3b's amended modification application was not a "major amendment," in part, because O3b's proposed reduction in the number of satellites would "reduce the number of potential interference events"); *SpaceX Modification Order*, ¶ 11 (granting SpaceX's modification application because it "does not present significant interference problems and is in the public interest"); *ViaSat, Inc.*, Order and Declaratory Ruling, FCC 20-56, ¶ 12 (rel. Apr. 23, 2020) (concluding that ViaSat's amendment to its market access petition was not a "major amendment" because "the fact that the number of satellites proposed is reduced, the altitude of the proposed orbits remains the same, and the frequencies requested are unchanged mean that the number of potential interference events between ViaSat's proposed satellites and other satellites being proposed in the same processing rounds is likely to be decreased…").

[40] OneWeb will similarly ensure protection of the GSO arc by continuing to comply with applicable EPFD limits. *See* Technical Attachment A at 15-16; 47 C.F.R. §§ 25.146(a)(2), (c). OneWeb's proposed Phase 1 operations will also protect co-frequency terrestrial operations by

As demonstrated herein, Phase 1 of OneWeb's planned modification will not degrade the current NGSO FSS interference environment and is otherwise consistent with the modification and amendment applications filed by First Processing Round applicants that have been processed outside the processing round context. As an initial matter, OneWeb notes that its planned Phase 1 deployment will *decrease* the number of satellites in its authorized constellation. The Commission has articulated that the public interest standard with respect to modification applications "focus[es] on the public interest in avoiding radiofrequency interference" and is "consistent with the purpose of the Commission's processing round procedure."[41] In particular, the Commission emphasized that a "very small reduction in the number of satellites" in an authorized constellation will not change "the number of spatial configurations that have the potential for generating interference," which is a "fundamental element" in the FCC's public interest analysis.[42] Therefore, OneWeb's Phase 1 deployment is squarely in line with this criteria and should be granted outside the processing round context. Moreover, in addition to reducing the number of satellites, the Phase 1 deployment of the modified OneWeb System will:

- provide service across the *same frequencies* specified in the Market Access Grant;
- deploy spacecraft at the *same orbital altitude* specified in the Market Access Grant;
- employ the same emission and reception parameters as that proposed in the Market Access Grant;
- utilize the same satellite *transmit power and power density levels* as specified in the Market Access Petition;
- communicate only with earth stations that can see a satellite above a 45° elevation angle, the same as in the Market Access Grant; and
- continue to avoid the GSO arc with sufficient avoidance angle to comply with the ITU's EPFD limits in frequency bands where that is required.

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satisfying applicable PFD limits. *See* Technical Attachment A at 10-14; 47 C.F.R. § 25.146(a)(1). To the extent necessary, OneWeb requests a waiver of Section 25.146(a)(1) of the Commission's rules for its proposed Phase 2 operations. *See* Technical Attachment B at 24.

[41] SpaceX Modification Order, ¶ 9; *see also Teledesic LLC*, 14 FCC Rcd at 2263-4 (IB 1999).

[42] SpaceX Modification Order, ¶ 11.

The detailed analysis contained in Technical Attachment A further confirms that the modest changes in OneWeb's proposed Phase 1 deployment will not degrade the NGSO interference environment. As demonstrated in Section A.8.2 of Technical Attachment A, the interference from the OneWeb System into other NGSO FSS constellations will *not* increase as a result of the modifications proposed herein. Therefore, granting the proposed Phase 1 modifications outside of the context of an NGSO processing round is entirely consistent with prior treatment of similar modification applications and would ensure regulatory parity in the increasingly competitive marketplace for NGSO-based connectivity services.

B. OneWeb's Proposed Phase 2 Operations Are Entitled to Comparative Consideration with Other Applicants in the Second Processing Round

In March 2018, OneWeb filed a modification application to increase its authorized constellation from 720 to 1,980 satellites, without proposing any other changes to its NGSO FSS system.[43] The Commission provisionally included the 2018 Modification Application as part of the 2020 Processing Round.[44] The Commission also provisionally included license applications from New Spectrum and Kuiper – applicants who did not participate in the First Processing Round and filed license applications well after the applicable cut-off date – in the Second Processing Round.[45]

On May 25, 2020, OneWeb withdrew the 2018 Modification Application.[46] OneWeb's proposed Phase 2 operations described herein are intended for consideration in the Second

[43] *See* IBFS File No. SAT-MOD-20180319-00022 (Call Sign 2963) ("2018 Modification Application").

[44] *See* Second Processing Round PN at 2.

[45] *Id*.

[46] *See* Letter from Brian D. Weimer, Counsel to OneWeb, to Jose P. Albuquerque, Chief, Satellite Division, IBFS File No. SAT-MOD-20180319-00022 (May 25, 2020).

Processing Round.[47] To the extent the Commission alters its provisional conclusions regarding the status of the New Spectrum or Kuiper applications, OneWeb respectfully requests that it afford the same status to the Phase 2 operations proposed herein.

IV. CONCLUSION

As demonstrated herein, the OneWeb System will continue to fully satisfy the Commission's requirements under the *DISCO II* Order for U.S. market access and applicable Part 25 rules. Accordingly, OneWeb respectfully requests the Commission to expeditiously grant the Modification Application to facilitate OneWeb's deployment of its next generation, satellite-based connectivity services.

Respectfully Submitted,

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[47] *See* Technical Attachment B.