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FCC Plans to Seek Comments on Facilitating Space Economy

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The Federal Communications Commission has released a draft of a notice of inquiry (NOI) scheduled for consideration at its open meeting on August 5, 2022. The NOI seeks comments on FCC licensing of in-space servicing, assembly and manufacturing (ISAM) missions, which include activities such as repairing in-orbit spacecraft, removing debris and satellite refueling.

One goal of this proceeding is to identify ways the FCC can "promote continued growth, innovation, and development in ISAM operations." To that end, the FCC hopes to learn more about current and future ISAM activities that may require FCC licensing, frequency allocations, or other approvals. In particular, the FCC aims to identify how to facilitate and reduce barriers for ISAM missions by modifying the licensing processes.

Space safety, including orbital debris remediation, is a primary concern for the FCC, which recognizes that while ISAM operations can produce new orbital debris, they also could help clean up existing debris. The NOI, therefore, seeks comments on the current and future spectrum needs for ISAM missions, as well as whether the FCC should modify its rules on orbital debris mitigation. The FCC also asks if there are any different regulatory issues presented by ISAM activities beyond Earth's orbit.

This NOI is the latest in the FCC's efforts to learn how it can promote commercial space operations. The NOI also aligns with the Biden administration's December 2021 Space Priorities Framework, and the White House Office of Science and Technology Policy's ISAM National Strategy released in April 2022.

There may be incremental changes to the NOI before the FCC's vote next month, but we expect the FCC to vote to approve it. Industry commenters may submit their views to the FCC through comments and reply comments, which will be due 45 days and 75 days, respectively, after publication in the Federal Register.

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