

systems, must either submit information to the Commission sufficient to demonstrate that the licensee has completed the critical design review of the licensed satellite system or notify the Commission in writing that critical design review has not been completed, no later than 15 days after the milestone date for completion of such design review.

(e) Licensees of all satellite systems, other than DBS and DARS satellite systems, must either submit information to the Commission sufficient to demonstrate that the licensee has commenced physical construction of its licensed spacecraft or notify the Commission in writing that such construction has not commenced, no later than 15 days after the milestone date for such commencement.

(f) Licensees of all satellite systems, other than DBS and SDARS systems, must either demonstrate compliance with an applicable deadline for operation or launch and operation specified in paragraph (a) or (b) of this section or notify the Commission in writing that launch and commencement of operation has not occurred, no later than 15 days after the deadline. Compliance with a milestone requirement in paragraph (a)(4), (b)(4), or (b)(5) of this section may be demonstrated by certifying pursuant to §25.121(d) that the space station, or stations, has, or have, been launched and placed in the authorized orbital location or non-geostationary orbit(s) and that in-orbit operation of the space station or stations has been tested and found to be consistent with the terms of the authorization.

(g) Licensees of satellite systems that include both non-geostationary orbit satellites and geostationary orbit satellites, other than DBS and DARS satellite systems, will be required to comply with the schedule in paragraph (a) of this section with respect to the geostationary orbit satellites, and with the schedule set forth in paragraph (b) of this section with respect to the non-geostationary orbit satellites.

(h) In cases where the Commission grants a satellite authorization in different stages, such as a license for a satellite system using feeder links or inter-satellite links, the earliest of the

milestone schedules will be applied to the entire satellite system.

[68 FR 51507, Aug. 27, 2003, as amended at 69 FR 51587, Aug. 20, 2004; 79 FR 8320, Feb. 12, 2014]

#### § 25.165 Posting of bonds.

(a) For all satellite licenses issued after September 20, 2004, other than DBS licenses, DARS licenses, and replacement satellite licenses as defined in paragraph (e), the licensee is required to post a bond within 30 days of the grant of its license. Failure to post a bond will render the license null and void automatically.

(1) NGSO licensees are required to post a bond in the amount of \$5 million.

(2) GSO licensees are required to post a bond in the amount of \$3 million.

(3) Licensees of satellite systems including both NGSO satellites and GSO satellites that operate in the same frequency bands as the NGSO satellites are required to post a bond in the amount of \$5 million.

(b) The licensee must use a surety company deemed acceptable within the meaning of 31 U.S.C. 9304 *et seq.* (See, e.g., Department of Treasury Fiscal Service, Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and As Acceptable Reinsurance Companies, 57 FR 29356, July 1, 1992.) The bond must name the U.S. Treasury as beneficiary in the event of the licensee's default. The licensee must provide the Commission with a copy of the performance bond, including all details and conditions.

(c) A licensee will be considered to be in default if it fails to meet any milestone deadline set forth in §25.164, and, at the time of milestone deadline, the licensee has not provided a sufficient basis for extending the milestone.

(d) A GSO licensee will be permitted to reduce the amount of the bond by \$750,000 upon successfully meeting a milestone deadline set forth in section 25.164(a) of this chapter. An NGSO licensee will be permitted to reduce the amount of the bond by \$1 million upon successfully meeting a milestone deadline set forth in section 25.164(b) of this chapter.

## § 25.170

(e) A replacement satellite is one that is:

(1) Authorized to be operated at the same orbit location, in the same frequency bands, and with the same coverage area as one of the licensee's existing satellites, and

(2) Scheduled to be launched so that it will be brought into use at approximately the same time as, but no later than, the existing satellite is retired.

[68 FR 51507, Aug. 27, 2003, as amended at 69 FR 51587, Aug. 20, 2004]

### REPORTING REQUIREMENTS FOR SPACE STATION OPERATORS

#### § 25.170 Annual reporting requirements.

All operators of U.S.-licensed space stations and operators of non-U.S.-licensed space stations granted U.S. market access must, on June 30 of each year, file a report with the International Bureau containing the following information:

(a) Identification of any space station(s) not available for service or otherwise not performing to specifications as of May 31 of the current year, any spectrum within the scope of the part 25 license or market access grant that the space station is unable to use, the cause(s) of these difficulties, and the date when the space station was taken out of service or the malfunction was identified; and

(b) A current listing of the names, titles, addresses, email addresses, and telephone numbers of the points of contact for resolution of interference problems and for emergency response. Contact personnel should include those responsible for resolution of short term, immediate interference problems at the system control center, and those responsible for long term engineering and technical design issues.

(c) Construction progress and anticipated launch dates for authorized replacement satellites.

NOTE TO § 25.170: Space station operators may also be subject to outage reporting requirements in part 4 of this chapter.

[79 FR 8321, Feb. 12, 2014]

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#### § 25.171 Contact information reporting requirements.

If contact information filed in space station application or pursuant to § 25.170(b) or § 25.172(a)(1) changes, the operator must file corrected information electronically in the Commission's International Bureau Filing System (IBFS), in the "Other Filings" tab of the station's current authorization file. The operator must file the updated information within 10 days.

[79 FR 8321, Feb. 12, 2014]

#### § 25.172 Requirements for reporting space station control arrangements.

(a) The operator of any space station licensed by the Commission or granted U.S. market access must file the following information with the Commission prior to commencing operation with the space station, or, in the case of a non-U.S.-licensed space station, prior to commencing operation with U.S. earth stations.

(1) The information required by § 25.170(b).

(2) The call signs of any telemetry, tracking, and command earth station(s) communicating with the space station from any site in the United States.

(3) The location, by city and country, of any telemetry, tracking, and command earth station that communicates with the space station from any point outside the United States.

(4) Alternatively, instead of listing the call signs and/or locations of earth stations currently used for telemetry, tracking, and command, the space station operator may provide 24/7 contact information for a satellite control center and a list of the call signs of any U.S. earth stations, and the locations of any non-U.S. earth stations, that are used or may be used for telemetry, tracking, and command communication with the space station(s) in question.

(b) The information required by paragraph (a) of this section must be filed electronically in the Commission's International Bureau Filing System (IBFS), in the "Other Filings" tab of the space station's current authorization file. If call sign or location information provided pursuant to paragraph