April 8, 2024

By Email to space.commerce@noaa.gov

Sarah Brothers
U.S. Department of Commerce
National Oceanic and Atmospheric Administration
Commercial Remote Sensing Regulatory Affairs
1401 Constitution Ave. NW, Room 31027
Washington, DC 20230

Re: Request for Information: Private Remote Sensing Satellite Disposal and Debris Mitigation, 89 Fed. Reg. 16,730 (March 8, 2024)

Dear Ms. Brothers:

Planet Labs PBC (Planet) submits the following comments on the Commercial Remote Sensing Regulatory Affairs (CRSRA) division's Request for Information (RFI) regarding whether CRSRA should issue new rules or guidance for private remote sensing licensees on end-of-life disposal of on-orbit systems and mitigation of orbital debris.[1] Planet is a U.S.-based aerospace and data analytics company that owns and operates the largest fleet of commercial Earth observation satellites, with a mission to image Earth's landmass every day, making change visible, accessible, and actionable. Uses of Planet's data include mapping, agriculture, and environmental change detection, among others. Planet appreciates CRSRA's ongoing work to streamline its regulations relating to the operation of private remote sensing satellite systems and the opportunity to comment on the RFI. Planet urges CRSRA to continue to defer to FCC requirements relating to disposal, reentry, and debris mitigation for dual CRSRA/FCC licensees and avoid imposing duplicative regulations that could undermine the ability of U.S. remote sensing companies to compete in the global marketplace. If CRSRA moves forward with new rules or guidance in this area, such rules should be narrow in scope and apply only to CRSRA licensees who are not also FCC licensees and therefore not already subject to the FCC's disposal, reentry, and debris mitigation requirements.

The RFI inquires whether CRSRA should: (1) issue a rulemaking that would interpret the requirement in all remote sensing licenses to "make disposition of any satellites in space in a manner satisfactory to the President"; (2) issue a rulemaking that would interpret that same requirement but only for those remote sensing satellite licensees without FCC licenses; or (3) provide narrow guidance for licensed private remotes sensing satellite operators without FCC licenses on how to comply with

[1] *See Request for Information: Private Remote Sensing Satellite Disposal and Debris Mitigation*, 89 Fed. Reg. 16,730 (Mar. 8, 2024) (RFI).

that requirement.[2] Prior to 2020, CRSRA licensees were required to submit a disposal and orbital debris mitigation plan to CRSRA as part of the private remote sensing licensing process.[3] In 2020, however, as part of its comprehensive updates to the regulations governing the licensing of commercial remote sensing systems, CRSRA "defer[red] to FCC license requirements regarding orbital debris and spacecraft disposal" specifically in order "[t]o avoid duplicative regulation" that would otherwise result if dual CRSRA/FCC licensees were subject both to CRSRA's and to the FCC's requirements.[4] Nearly four years later, the facts remain largely the same; many CRSRA licensees also hold licenses from the FCC, and remain subject to the FCC's comprehensive regulations relating to orbital debris and disposal. Given that those FCC rules remain in place (indeed, they have been updated to impose additional obligations[5]) and duplicative regulations remain problematic for industry, CRSRA should continue to defer to the FCC's rules in this area for dual CRSRA/FCC licensees. CRSRA should not initiate a broader rulemaking that would "pertain[] to the subsection (b)(4) license requirement that exists in all of its licenses."[6]

CRSRA states that it "has observed an increasing number of multinational remote sensing systems, with some licensees electing to receive radiofrequency licenses from other nations while seeking a CRSRA remote sensing license in the United States."[7] Because such licensees would not today be subject to the U.S. orbital debris and disposal requirements imposed by the FCC, Planet agrees that, to foster a more sustainable space environment and a level playing field for private remote sensing satellite operators, it would be appropriate for CRSRA to provide guidance or regulations on disposal and debris mitigation for this narrow class of licensees that do not hold FCC licenses. Planet urges CRSRA and the FCC to work together on appropriate standards and ensure they are harmonized across agencies.

Planet appreciates CRSRA's ongoing regulatory reform efforts and its work toward a more sustainable orbital environment. We look forward to continuing to discuss these issues with CRSRA.

Respectfully Submitted,

/s/ Danielle J. Piñeres

Danielle J. Piñeres
Vice President of Regulatory Affairs & Compliance
Planet Labs PBC

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[2] *Id.*
[3] *Id.* at 16,730.
[4] *Licensing of Private Remote Sensing Space Systems*, 85 Fed. Reg. 30,790, 30,799 (May 20, 2020).
[5] *See generally Space Innovation, Mitigation of Orbital Debris in the New Space Age*, 37 FCC Rcd. 11,818 (2022) (describing a new FCC requirement to dispose of a Low Earth Orbit satellite within five years of end of mission life).
[6] RFI at 16,731.
[7] *Id.*