



December 16, 2020

Dr. James Cutler
Associate Professor
University of Michigan
1320 Beal Avenue
Ann Arbor, MI 48109

RE: NOAA Commercial Remote Sensing Regulatory Affairs License Inquiry

Dear Dr. Cutler:

Pursuant to 15 CFR § 960.5(a), the National Oceanic and Atmospheric Administration's (NOAA) Commercial Remote Sensing Regulatory Affairs Office (CRSRA) has reviewed your Initial Contact Form, submitted on December 14, 2020, concerning your proposed Measurement of Actuation Response In Orbit (MARIO) private remote sensing space system. Under the authority of the Secretary of Commerce under 51 U.S.C. § 60121 *et seq.* and 15 CFR Part 960, delegated to NOAA, we have determined that the proposed system as described in your Initial Contact Form does not fall within the Secretary's jurisdiction and therefore will not be required to apply for a NOAA license. This determination was made based on representations you made in your Initial Contact form that your system does not include any Earth-sensing instruments. Based on these representations, we have determined that your system will not perform "remote sensing" and will therefore not be a "remote sensing space system" as defined in 15 CFR § 960.4, which is a prerequisite to the licensing requirement per 15 CFR § 960.2(a). This determination does not relieve you of the obligation to apply for any other U.S. Government licenses, permissions, or permits your activities may require.

This determination applies to your MARIO system only and is based on the Initial Contact Form submitted on December 14, 2020. If the factual circumstances of the information provided change, please submit a new Initial Contact Form, as you may be subject to the Secretary's jurisdiction. Additionally, please contact CRSRA with any future systems you may plan to operate in order to obtain a licensing determination on that specific system and its mission.

Please refer any questions regarding this determination to CRSRA at 301-427-2560 or by email at CRSRA@noaa.gov.

Sincerely,

Tahara D. Dawkins
Director, Commercial Remote Sensing
Regulatory Affairs

cc: Glenn Tallia, NOAA GC

