

Request for Extension or Waiver of Milestone Date

Viasat, Inc. (“Viasat”) is authorized to serve the United States using ViaSat-3, a Ka-band GSO FSS satellite at 88.9° W.L.¹ ViaSat-3 is currently subject to a launch and operation milestone of April 30, 2023.² The construction of ViaSat-3 is now complete, and the satellite has been shipped to the launch site. The launch of the satellite had been planned for the last week of March 2023, which would have allowed the satellite to commence operations at the 88.9° W.L. orbital location prior to the current milestone deadline.

However, the launch of ViaSat-3 has now been delayed due to actions taken by SpaceX (Viasat’s launch service provider):

- First, SpaceX delayed the launch interval that had been specified for ViaSat-3 by two weeks (from an interval of March 24 through 31, 2023 to a new interval of April 8 through 14, 2023). SpaceX implemented this delay to accommodate three high-priority missions for the U.S. Government—U.S. Space Force mission USSF-67 (DPAS priority rating DX) and NASA missions Crew-6 and CRS-27 (both DPAS priority rating DO). Notably: (i) this result was required by law given the priority ratings associated with these missions; and (ii) SpaceX had already delayed the ViaSat-3 launch to the March launch interval due to earlier national priority missions—*i.e.*, in the aggregate, national priority missions led to ViaSat-3 launch delays significantly longer than two weeks.
- Subsequently, SpaceX further delayed the updated launch interval for ViaSat-3 in order to address unexpected and unforeseen delays in SpaceX’s ability to deliver a critical piece of flight hardware designated for use on the ViaSat-3 mission. The time required to make this critical hardware available will delay SpaceX’s ability to launch the ViaSat-3 satellite by at least four additional days and will result in a launch no earlier than April 18, 2023.

Viasat is working with SpaceX to mitigate the impact on ViaSat-3 deployment plans to the extent possible. Notwithstanding those efforts, the satellite simply will not be located at the 88.9° W.L. orbital location by the current April 30, 2023 milestone deadline. Rather, it now appears likely that ViaSat-3 will be on station sometime in early May, at which point it would be several days before Viasat could commence transmissions throughout its assigned Ka-band spectrum.

To accommodate this updated timetable, Viasat is requesting a one-month extension of its milestone deadline, until May 31, 2023. Under Section 25.117(e) of the Commission’s rules, a satellite milestone extension may be granted when “additional time is required due to

¹ The ViaSat-3-class satellite at 88.9° W.L. will also include a VIASAT-89US, a separately authorized payload with a launch and operation milestone of May 27, 2025. See IBFS File No. SAT-LOA-20190617-00048, Call Sign S3050 (granted May 27, 2020).

² *Viasat, Inc.*, Order, DA 22-1141 (IB Oct. 31, 2022).

unforeseeable circumstances beyond the applicant's control"³ Viasat's extension request easily satisfies this standard, as Viasat could not have anticipated or avoided either: (i) SpaceX's delay of the March launch interval (which was required by law in order to accommodate high-profile U.S. Government missions) or (ii) the delays in SpaceX's ability to deliver critical flight hardware discussed above, which arose from circumstances entirely outside of Viasat's control. At the same time, Viasat is taking steps to mitigate the impact of the delay and ensure that it can satisfy the applicable milestone conditions as soon as possible. The requested extension would facilitate these efforts and Viasat's ability to provide valuable services to the public.

³ 47 C.F.R. § 25.117(e)(1).

CERTIFICATION

I, David Abrahamian, hereby make the following certifications to the Federal Communications Commission.

1. I am Vice President, Satellite Systems of Viasat, Inc.
2. The factual information contained in the foregoing Request for Extension or Waiver of Milestone Date is true and correct to the best of my knowledge, information and belief.

_____/s/
David Abrahamian

Executed March 24, 2023