

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	)	
	)	
T-Mobile USA, Inc. and Space Exploration	)	GN Docket No. 23-65
Holdings, LLC Request for Waiver of Parts 2 and	)	
25 of the Commission's Rules	)	
	)	
Space Bureau and Wireless Telecommunications	)	GN Docket No. 23-135
Bureau Seek Comment on Filings of SpaceX and	)	
T-Mobile Requesting to Establish Supplemental	)	
Coverage from Space	)	
	)	
Application for Authority for Modification of the	)	SAT-MOD-20230207-00021
SpaceX NGSO Satellite System to Add a Direct to	)	SAT-AMD-20240322-00061
Cellular System	)	
	)	

ORDER

Adopted: July 1, 2025

Released: July 1, 2025

By the Acting Chiefs, Office of Engineering and Technology and Space Bureau:

I. INTRODUCTION

1. By this Order, the Office of Engineering and Technology (OET) and the Space Bureau grant the T-Mobile USA, Inc. (T-Mobile) and Space Exploration Holdings, LLC (SpaceX) request for waiver of sections 2.805(a), 25.125(c), and 25.125(d)(3) of the Commission's rules.¹ In addition, on our own motion, we waive the requirements of 25.115(q)(1). We decline the request for waiver of section 25.125(e). T-Mobile and SpaceX contend that permitting customers using handsets which have not yet been authorized for use under part 25 but that were otherwise authorized for use on or before June 29, 2024, to connect to Supplemental Coverage from Space (SCS) services will serve the public interest by enabling subscribers to seamlessly receive services and emergency alerts in difficult-to-reach areas of the country and during and after emergencies.² For the reasons discussed below, OET and Space Bureau find that T-Mobile and SpaceX have satisfied the requirements of section 1.3 of the Commission's rules and, accordingly, grant the requested waiver for equipment operating on the T-Mobile network.

2. In March 2024 the Commission adopted a Report and Order permitting SCS, which allows satellite operators collaborating with terrestrial service providers to operate space stations on certain licensed, flexible-use spectrum allocated to wireless services.³ That Report and Order stated that "terrestrial device

¹ Request of T-Mobile USA, Inc. and Space Exploration Holdings, LLC for Waiver of the Commission's Single Network Future: Supplemental Coverage from Space Rules, GN Docket No. 23-65, (filed Apr. 9, 2025), <https://www.fcc.gov/ecfs/document/104082801524379/1> (Waiver Request).

² *Id.* at 1-2.

³ See *Single Network Future: Supplemental Coverage from Space*, GN Docket No. 23-65, Report and Order and Further Notice of Proposed Rulemaking, 39 FCC Rcd 2622, para. 3 (2024) (*SCS Order*).

equipment authorization grantees” would be required to “modify existing, or obtain new, equipment authorizations for previously certified terrestrial devices to reflect those devices’ approval to operate under a part 25 [mobile satellite service] allocation and applicable SCS rules.”⁴ The Commission noted multiple benefits stemming from this requirement, including providing consumers with a publicly available, authoritative database to determine whether their terrestrial device has SCS capability or could be provisioned for such operations; and providing tracking and accountability for devices capable of SCS, which could prove beneficial in the event that there are harmful interference incidents for which enforcement action may be needed.⁵ To minimize administrative burdens associated with modifying equipment certification for already certified handsets, the Commission adopted a limited waiver of certain rules related to its permissive change requirements to permit handset manufacturers to avail themselves of those procedures to add part 25 to existing equipment certifications.⁶ The Commission also noted that any updates to an existing equipment authorization to add part 25 for SCS must comply with the Commission’s rules implementing the prohibition on authorization of communications equipment that has been determined to pose an unacceptable risk to the national security of the United States and the security and safety of United States persons, as identified on the Commission’s Covered List (covered equipment)—published pursuant to the Secure and Trusted Communications Networks Act of 2019.⁷

3. T-Mobile and SpaceX request a waiver such that SCS-compatible handsets that were certified prior to June 29, 2024, but which have not been authorized for part 25 for SCS services, be permitted to receive those services. T-Mobile and SpaceX note that SCS-compatible handsets are already in the market and being used. However, many consumers cannot take advantage of this new service unless the equipment manufacturer modifies its equipment authorization, and T-Mobile and SpaceX argue that consumers have no ability to cause the manufacturers to take such action.⁸ They argue that not permitting consumers to receive SCS due to inaction by the equipment manufacturers is against the public interest because consumers would be prevented from accessing potentially life-saving services and also create confusion among consumers because some compatible devices would work with SCS while others would not.⁹
4. T-Mobile and SpaceX request the Commission waive section 2.805(a), which generally prohibits operation of an RF device prior to receiving equipment certification¹⁰, as well as sections 25.125(c), 25.125(d)(3), and 25.125(e), which collectively require SCS earth stations (or handsets in this case) to

⁴ *Id.* at para. 217.

⁵ *Id.* at para. 216.

⁶ *Id.* at para. 221. Specifically, the Commission waived the section 2.1043(c) requirement to file a new application for certification accompanied by all of the required information as specified in part 2 of our rules as well as the requirements in sections 2.911 (c) and (e) to provide all test data in writing to a Telecommunications Certification Body. The Commission noted that because there would be no change to the handsets, no new test data would be needed to add a part 25 allocation to an existing equipment certification for SCS. These waivers were granted for equipment certifications granted on or before the 60th day after publication of a summary of the *SCS Order* was published in the Federal Register. *Id.* at para. 222. The *SCS Order* was published on April 30, 2024, and the waiver expired six months after the effective date of that order. *Id.*; 89 FR 34148 (2024). Beyond that time, “grantees may still request a modification to their equipment authorization but they must do so by their own motion pursuant to the Commission’s waiver request rules.” *SCS Order* at para. 222.

⁷ *Id.* at para. 219. *See generally Protecting Against National Security Threats to the Communications Supply Chain through the Equipment Authorization Program; Protecting Against National Security Threats to the Communications Supply Chain through the Equipment Authorization Program*, ET Docket No. 21-232, EA Docket 21-233, Report and Order and Further Notice of Proposed Rulemaking, 37 FCC Rcd 13493, 13509-98, paras. 32-263 (2022)

⁸ Waiver Request at 4.

⁹ *Id.*

¹⁰ 47 CFR § 2.805(a).

comply with all equipment authorization requirements.¹¹ We evaluate waivers pursuant to the general waiver authority in section 1.3 of the Commission's rules.¹² Waiver of the Commission's rules is appropriate if both (i) special circumstances warrant a deviation from the general rule and (ii) the waiver will serve the public interest.¹³ After consideration of the waiver request,¹⁴ we find that T-Mobile and SpaceX have satisfied the requirements of section 1.3 and, accordingly, we waive sections 2.805(a), 25.125(c), and 25.125(d)(3) of the Commission's rules, subject to the conditions set forth below.

5. We find that good cause has been shown to justify granting the requested waiver and agree with T-Mobile and SpaceX that under the circumstances, strict application of the rules would frustrate the Commission's underlying purpose in adopting those rules, which is to enable consumers and first responders to access services, such as wireless emergency alerts and limited text messaging, during a natural disaster or when in remote areas that lack terrestrial service. As T-Mobile and SpaceX observe, application of the rules would prevent T-Mobile subscribers and first responders from accessing SCS through no fault of their own, because the holders of equipment authorizations for certain devices have failed to submit requests for waivers to allow those devices to access SCS.¹⁵ Providing access is also in the public interest, as it will allow T-Mobile subscribers to access communications capability where they otherwise could not despite the Commission's efforts to authorize a new service.

6. The Commission's equipment authorization rules help to ensure that RF devices meet the Commission's technical rules and thus operate with minimal potential for causing harmful interference. Additionally, certified devices are recorded in the Commission's Equipment Authorization System (EAS) Database and provide the public a compendium listing devices, their technical specifications, and the rule parts under which they are permitted to be used. For SCS, the Commission recognized that, because handsets would not have to be modified to use the service, additional technical testing would not be necessary. Thus, permitting handsets already certified for parts 22, 24, or 27 to access SCS would not increase the potential for causing harmful interference to any service.¹⁶ To the extent that this waiver will result in some handsets operating under part 25 without certification for such use, we note that the lack of recording of certification parameters in our EAS is limited to only those devices certified before June 29, 2024, for which the manufacturer has not taken steps to administratively update the existing equipment certification. We recognize that T-Mobile and SpaceX may not hold primary responsibility for updating equipment certifications for devices that operate on their networks. We encourage T-Mobile and SpaceX to remind their handset suppliers of the need to bring handsets authorized after June 29, 2024 into full compliance and expect that those suppliers will continue to take necessary steps to do so. However, given the limited pool of consumer handsets at issue here, and the inability of consumers to address the lack of updated equipment certification themselves, we believe the benefits to the public outweigh the potential harm in this circumstance. For these reasons, we grant the T-Mobile and SpaceX request for waiver of

¹¹ 47 CFR §§ 25.125(c), 25.125(d)(3), and 25.125(e).

¹² 47 CFR § 1.3.

¹³ *Network IP, LLC v. FCC*, 548 F.3d 116, 127 (D.C. Cir. 2008); *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

¹⁴ We note that the Commission did not receive any comments regarding this waiver request.

¹⁵ Waiver Request at 7.

¹⁶ We note that the Commission in late 2024 and early 2025 permitted, via Special Temporary Authority, T-Mobile and SpaceX to provide SCS service to T-Mobile subscribers affected by hurricane damage in Florida and North Carolina and by wildfires in southern California. We are not aware of any instances of harmful interference occurring due to such operations. See Letter from Ira Keltz, Acting Chief, Office of Engineering and Technology, FCC, and Kerry Murray, Deputy Bureau Chief and Chief of Staff, Space Bureau, FCC, to Mr. David Goldman, Vice President, Satellite Policy, Space Exploration Technologies, Corp., and Mr. Thomas Dombrowsky, Vice President, Government Affairs, Engineering and Technology Policy, T-Mobile, DA 25-35 (Jan. 10, 2025); SpaceX Hurricane Helene Emergency SCS Service, Grant, ICFS File No. SAT-STA-20241007-00215 (granted Oct. 4, 2024); SpaceX Hurricane Milton Emergency SCS Service, Grant, ICFS File No. SAT-STA-20241007-00216 (granted Oct. 7, 2024).

sections 2.805(a), 25.125(c), and 25.125(d)(3) of the rules. In addition, we waive on our own motion section 25.115(q)(1) because doing so will allow T-Mobile subscribers to communicate with SpaceX satellites without the need for additional earth station licenses, keeping with the intent of the rule to provide maximum flexibility.

7. We decline the request for waiver of section 25.125(e) because waiver of that provision is not necessary for T-Mobile subscribers to connect to SCS services using handsets which have not yet been authorized for use under part 25 but that were otherwise authorized for use on or before June 29, 2024.

8. Finally, the Commission explicitly noted in the SCS Report and Order that devices operating in the SCS service must comply with the Commission's rules implementing the prohibition on authorization of communications equipment identified on the Commission's Covered List and that our existing administrative process associated with either amending an existing equipment authorization or obtaining a new authorization ensures that expanded operating privileges are not extended to covered equipment.¹⁷ Thus, although we grant this waiver, we also limit the extent to only such devices that otherwise would not be covered equipment. That is, this waiver is not a vehicle for circumventing any rules barring covered equipment from obtaining equipment authorization.¹⁸

9. Accordingly, IT IS ORDERED, pursuant to sections 4(i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303, and sections 0.241(b), 0.261(a), and 1.3 of the Commission's rules, 47 CFR §§ 0.241(b), 0.261(a), 1.3, that the request filed by the T-Mobile and SpaceX to waive sections 2.805(a), 25.125(c), 25.125(d)(3) of the Commission's rules is GRANTED, the request to waive section 25.125(e) is DENIED, and we, on our own motion, waive the requirements of section 25.115(q)(1).

FEDERAL COMMUNICATIONS COMMISSION

Ira Keltz
Acting Chief
Office of Engineering and Technology

Jay Schwarz
Chief
Space Bureau

¹⁷ *SCS Order*, 39 FCC Rcd 2718, para. 219.

¹⁸ See 47 CFR § 2.903; List of Equipment and Services Covered by Section 2 of the Secure Networks Act, <https://www.fcc.gov/supplychain/coveredlist> (updated June 4, 2025). As part of the administrative update established by the SCS rules, equipment certification applicants are required to provide an attestation that the subject device is not "covered" equipment (47 CFR § 2.911(d)(5)) and also to update the administrative information, if necessary, with information regarding subsidiaries and affiliates (47 CFR § 2.903) and provide a U.S. based agent for service of process (47 CFR § 2.911(d)(7)).