

Applicant Eligibility

On August 16, 2023, BAE Systems, Inc. (“BAE Systems”) and Ball Technologies Holdings Corp. (“Ball Technologies Holdings”) entered into a Stock Purchase Agreement pursuant to which BAE Systems would purchase all of the issued and outstanding shares of capital stock of Ball Technologies Holdings (the “Transaction”). The parties closed on the Transaction on February 16, 2024. As a result, Ball Technologies Holdings, and its direct, wholly owned subsidiary, Ball Aerospace & Technologies Corp. (“Ball Aerospace”), are now a standalone business segment that will report directly into BAE Systems. The Transaction did not result in any near-term material changes in the business, operations, or assets of Ball Aerospace. The sole changes to the applicant and its immediate parent at closing were name changes from Ball Aerospace to BAE Systems Space & Mission Systems Inc. and from Ball Technologies Holdings to Ball Aerospace Technologies Corp.¹

Accordingly, BAE Systems Space & Mission Systems Inc. and its new owner BAE Systems hereby submit the instant application for a program experimental license to permit the continuation of the experiment being conducted under Ball Aerospace’s existing authorization Call Sign WA3XEB in the manner as currently authorized (*See* ELS File No. 0104-EX-PN-2022).² There are no changes to Ball Aerospace’s qualifications, eligibility, or institutional processes, which were previously considered by the Commission in connection with the current authorization. BAE Systems Space & Mission Systems Inc. (Ball Aerospace) will file to surrender WA3XEB and begin operating under its new program experimental license upon closing of the Proposed Transaction.

¹ The parties have received consent to the transfer of control of experimental license authorization Call Sign WN2XQH (*see* ELS File No. 0083-EX-TU-2023) and are concurrently submitted a post-closing consummation notice.

² Per the Commission’s rules, the Applicants could not seek consent to transfer this program experimental radio license. Rather, consistent with informal consultation with OET staff, to ensure the continuation of the experiment being conducted under this license, the Applicants are hereby applying for a new license to complete the advance registration requirement after the consummation of the Transaction. *See Promoting Expanded Opportunities for Radio Experimentation and Market Trials under Part 5 of the Commission’s Rules and Streamlining Other Related Rules; 2006 Biennial Review of Telecommunications Regulations – Part 2 Administered by the Office of Engineering and Technology (OET)*, ET Docket Nos. 10-236, 06-155, Order on Reconsideration, 28 FCC Rcd 8501, 8503 ¶ 7 (rel. May 29, 2013).

Supplemental Supporting Information

1. The Stop Buzzer point of contact information is as follows:
Pam Bartel, General Counsel
Pam.Bartel@ballaerospace.com
720-309-0315
2. The proposed geographical area, 9675 W. 108th Circle, Westminster, CO, 80021, is currently owned by Ball Aerospace Technologies Corp., the parent company of applicant BAE Systems Space & Mission Systems, pursuant to an internal real estate reorganization plan, effective February 16, 2024.