



February 18, 2022

Dr. Brian Fleming
Research Professor
Laboratory for Atmospheric and Space Physics
3665 Discovery Dr
Boulder CO 80303

RE: NOAA Commercial Remote Sensing Regulatory Affairs License Inquiry

Dear Dr. Fleming:

Pursuant to 15 CFR § 960.5(a), the National Oceanic and Atmospheric Administration's (NOAA) Commercial Remote Sensing Regulatory Affairs (CRSRA) office, has reviewed your Initial Contact Form, submitted on February 18, 2022, concerning your proposed SPRITE 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 the fact that your system does not perform remote sensing as defined in 15 C.F.R. § 960.4 because your system will not collect unenhanced data in an orbit of the Earth which can be processed into imagery of the surface features of the Earth.

This determination applies to your SPRITE system only and is based on the Initial Contact Form submitted on February 18, 2022. 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 Frank Rostan at 301-520-5202 or by email at CRSRA@noaa.gov.

Sincerely,

Alan D. Robinson
Acting Director, Commercial Remote Sensing
Regulatory Affairs

cc: Glenn Tallia, NOAA GC

