

ALERT

# FCC Issues Draft NPRM to Open Up Spectrum for “Weird Space Stuff”

March 9, 2026

On March 5, 2026, the FCC released a Draft Notice of Proposed Rulemaking (Draft NPRM) seeking comment on proposals to expand spectrum access for in-space servicing, assembly, and manufacturing (ISAM) and other emergent space operations it has dubbed “weird space stuff.”

The Commission will vote on the Draft NPRM at its March 26 Open Meeting. If adopted, comments will be due 30 days after the NPRM’s publication in the Federal Register, and reply comments will be due 30 days thereafter.

## Clarifying and Expanding Regulatory Classifications in Existing Allocations

The Draft NPRM aims to support space innovation by codifying policies to “alleviate spectrum shortcomings” and “make spectrum abundant” for “emergent space operations.” In particular, it proposes to broaden regulatory classifications, allowing current spectrum licensees to “leverag[e] existing spectrum” assets in innovative ways and facilitate spectrum availability for emergent space operations.

- *Defining “Emergent Operations.”* The Draft NPRM defines “emergent space operations” as spacecraft activities that rely on radio spectrum for control and communications – but do not provide communications services to the public. Although these missions still require reliable spectrum for telemetry, tracking and command (TT&C), they lack a dedicated service allocation because TT&C is typically authorized only as ancillary to another service. To address this gap, the Draft NPRM proposes codifying a new regulatory framework that would enable

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## Practice Areas

Space and Satellite  
Telecom, Media & Technology

emergent operators to have expanded access to spectrum.

- *Codifying Spectrum “Piggybacking.”* The FCC proposes to authorize the potential use of “frequency piggybacking” for ISAM and other emergent operations, which would allow spacecraft to “communicate in frequency bands already authorized for use by another spacecraft while the two spacecraft are connected or working together in close proximity to each other.”
- *Authorizing Standalone TT&C in Existing Allocations.* The Draft NPRM also considers permitting TT&C operations for emergent operations in fixed-satellite service (FSS) bands on an unprotected, non-interference basis, subject to coordination requirements.
- *Expanding TT&C Downlinks to Include Video and Other Data.* The FCC seeks comment on a proposal to expand the interpretation of TT&C to allow video and other data downlinks and during maneuvers such as rendezvous and proximity operations (RPO), docking with other spacecraft, or other similar activities.
- *Continuing Case-by-Case Licensing Under Certain Allocations.* The Draft NPRM proposes to continue allowing ISAM operations on a case-by-case basis in non-FSS service allocations (e.g., Space Research Service (SRS) and Earth Exploration-Satellite Service (EESS)), provided that the operator can demonstrate that the communications justifiably fit within the definition of the service in which authority is sought.

## Secondary Allocations and Leasing

The Draft NPRM looks to identify spectrum bands that could “potentially be used more intensively,” seeking comment on non-federal spectrum bands that could accommodate emergent space operations. The Commission notes that it is “particularly interested” in identifying bands that “either are not shared with Federal users, or that are shared with, but not used intensively by, Federal users and are allocated on a secondary basis for Federal use.”

- *SOS in the 2320-2345 MHz Band.* The Draft NPRM proposes to add a secondary non-federal Space Operation Service (SOS) allocation in the Earth-to-space direction in the 2320-2345 MHz band and permit the band’s exclusive licensee, SiriusXM, to lease spectrum to earth station operators for this purpose.
- *Expanding SOS Allocations to Adjacent Bands.* The FCC also seeks comment on extending a similar framework to adjacent bands, including SiriusXM’s WCS C & D Blocks (2315–2320 MHz and 2345–2350 MHz bands) and AT&T’s WCS A & B blocks (2305–2315 MHz and 2350–2360 MHz bands).
- *Intersatellite Links.* The Draft NPRM also proposes to allow licensed space stations to provide TT&C and payload data downlinks and uplinks to and from spacecraft conducting emergent space operations.

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