

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

In the Matter of)
)
WorldVu Satellites Limited, Debtor-in-) IBFS File Nos. SAT-LOI-20170301-00031
Possession, Petition for Declaratory Ruling)
Granting Access to the U.S. Market for the) Call Sign S2994
OneWeb Non- Geostationary Satellite Orbit)
Fixed-Satellite Service V-Band System)

**RESPONSE OF NINA BEETY
TO CONSOLIDATED OPPOSITION OF ONEWEB
TO REQUEST FOR RECONSIDERATION AND STAY**

Nina Beety hereby responds to the opposition of WorldVu Satellites Limited, Debtor-in-Possession (“OneWeb”) to her request for reconsideration and stay.

I am a pro se petitioner and I am not an attorney. I understand that judicial deference is given to a pro se individual who does not have a bank of attorneys and paralegals or a legal budget. In fact, I am informed that the 9th Circuit has a cadre of interns specifically to assist pro se litigants. I request deference as a pro se petitioner.

On the issue of standing, OneWeb’s statements are false. OneWeb failed to read my request. First, in my request, I clearly stated “with particularity the manner in which [my] interests are adversely affected by the action taken.”

p. 11-14

I am disabled by electromagnetic sensitivity. The emissions from EMF-emitting devices pose serious disabling health effects to me, and I qualify as disabled under ADA’s definition -- substantially limits one or more major life activities including major bodily

functions. I and many others are EMS-disabled in the U.S. and other countries...

The FCC ignores these conditions and this growing disabled group, making false statements that "...there is no evidence to support that adverse health effects in humans are caused by exposures at, under, or even in some cases above, the current RF limits." The Commission stands between me and my doctor, interfering with his advice and treatment of me. The FCC's reckless policies and uncontrolled rush to deploy wireless technologies and grant satellite licenses, including this license, cause life-threatening discrimination and danger to me and others already disabled by EMS and other sensitive medical conditions including those with medical implants. We are denied our civil rights, blocked from free and equal access to our communities and economic opportunities, public services, democratic process, and free association with our peers. This decision allowing access to "U.S. markets" and the FCC block me and others from the use and enjoyment our own homes because of the pervasive and pernicious nature of this environmental toxin RF-EMF used by these inaccessible services. We are grossly discriminated against.

By approving OneWeb's project, the FCC and OneWeb further violate the civil rights of EMF-disabled people, creating insurmountable barriers everywhere, with no safe place for anyone. The FCC ignores its duties under federal and state laws and shows depraved indifference toward our suffering and loss of freedom and civil liberties.

Healthy people can use these services but OneWeb's satellite services are inaccessible to me and others. This violates the 1934 Communications Act..

The FCC has not conducted a transition plan per its ADA Title II obligations on how it will accommodate disabled persons with electromagnetic sensitivity and other

EMF-sensitive medical conditions in its policies, practices, and rulemakings, despite that it has been notified for decades that this disabled population exists.

... The Fair Housing Act prohibits discrimination on the basis of disability in housing that makes a home inaccessible or uninhabitable.

... Granting this license for pervasive exposure blocks access to the public rights of way – to sidewalks, roads, and highways – interfering with state and local rules and enforcement of full, free, and equal access to the public rights-of-way by state and municipal governments. This license increases access barriers to public spaces including parks to which disabled people are also guaranteed equal access.

p. 16

The FCC's decision approving OneWeb's satellite network over the U.S., and other network approvals are mandated exposures for everyone and everything. For many including myself, the radiation from these satellites is a pernicious and pervasive toxin from which there is no escape and no freedom or relief. The FCC did not consider my rights or the rights of others to be free from this intrusion or to be free of compulsory exposure. The FCC also did not discuss my right to refuse it, and attempted to bypass constitutional protections of personal rights and property rights vis-a-vis exposure in its decisionmaking on 5G and wireless broadband.

Granting this license can be considered a takings and eminent domain without due process and without compensation. I will not be able to exclude this radiation from my home or property. This RF transmission permitted by the FCC is a violation of my personal private property rights and is, therefore, trespass...

Furthermore, this decision allows OneWeb to conduct its commercial business

through people's homes and properties and through their physical bodies. This could constitute home invasion as well as battery.

... OneWeb's satellite system is a defective product because it cannot accommodate EMS-disabled people. Applying for a license to deploy this defective product and approving it may be considered fraud.

This is a violation of air rights which even during World War II had to be compensated...

In addition, I protested other damages, hazards, and risks to me and violations of principles including space debris and fall-out effects (p. p. 25-27) and environmental damage (p. 18-25) that would befall me as a member of the general public, and I said:

p, 27-28

The sky and space are the commons. This is the air we breathe, the protective atmosphere over our heads, the climate around us, the sky that many creatures live in, and the beauty we enjoy. The sky and space belong to everyone and everything. They are sacred and alive to many people worldwide.

The sky and space are not the private property of anyone. By granting "U.S. market access" to OneWeb/WorldVu and other companies, the FCC has improperly taken what belongs to everyone and handed it to a group of private investors and companies for private financial gain. This will result in incursion, pollution, domination, and ultimately destruction of this commons.

The Earth's natural electric circuit is a part of everyone and everything. It is essential to all life and the life of the planet. The climate, the magnetosphere, the ionosphere belong to everyone and no one.

Instead of a free sky that Earth's living creatures can enjoy in its pure beauty, able to see the stars and planets, and receive life from, the sky is burdened, poisoned, and defaced by these spacecraft and their debris. This must stop now.

...The FCC approval of OneWeb/WorldVu's application is not promoting the general welfare. This is endangering life on Earth, and depriving everyone of what is theirs by birthright. This is eminent domain and a takings of the Earth.

To paraphrase what I said to the FCC in File No. 0747-EX-PL-2015, the public is prevented from having meaningful input into this process. These approvals at the FCC, approved by engineers, not independent medical professionals or scientists or public stakeholders, without public hearings, without seeking public comment or testimony, and under the political pressure of an industry-dominated agency, happen outside the view of most Americans. The public has to dig around in the FCC website to find decisions despite that these vital decisions are about heavy RF-spewing polluting objects over their heads in the sky.

This is a planetary experiment with no full informed consent and no vote.

Life, health, and a free sky are essential.

Secondly, contrary to OneWeb's assertion, it is impossible for me as an ordinary person, especially as a pro se petitioner, to know about, let alone participate in, all licensings and proceedings taking place in federal and state agencies that affect me. I responded on the OneWeb petition when I became aware of it, and I was only informed of OneWeb's filing when a friend sent me a newspaper article following the FCC decision. Otherwise, I would not have known about it. The only "public" notice the FCC provided was on the FCC website. Unlike other proceedings in other agencies that affect me that appear in the local newspapers, this did not, and

it was not easy to find the pertinent information on this application.

Third, OneWeb's statements about "concerns" and lack of concrete and particularized harms are false. As I clearly stated in my request, these are no mere matters of "concern". I am disabled by electromagnetic sensitivity, and qualify as disabled under ADA/ADAA and California definitions of "disability". I experience serious disabling effects that can be life-threatening from the emissions of radiofrequency electromagnetic radiation. I am increasingly seriously ill now due to these present cumulative and long-term exposures. New RF-EMF-emitting objects and services exacerbate my medical condition.. My doctor has advised avoidance and reduced exposure due to the concrete and particularized harms to me. OneWeb equipment and service will increase my RF-EMF exposure and thereby increase the concrete and particularized harms to me. Contrary to OneWeb claims, I have standing to challenge the V-Band Grant.

Fourth, on OneWeb's request for summary dismissal due to reconsideration and stay requests combined, I state again that I am a pro se petitioner. Had I known that it is proper to submit these separately, I would have done so. I ask for an exception due to my status as a pro se petitioner.

Fifth, there were sharp time constraints of mere days to respond to this application. When I located the FCC press release, neither OneWeb's application with information on its agent of service nor the FCC Order was linked to it. Additional time was required to find these documents and to find the correct portal to file my request. I spent the remaining few days I was permitted in examining and responding to the FCC ruling in the clearest, most organized, and accessible manner which I could. Much as I would have preferred it, there was no time for additional research on other rules of process such as fonts, spacing, and page limits. In addition,

the online submission portal only stipulated that I must serve the applicant, which of course I did.

During all of this, I have the additional limitation of being ill from the effects of radiofrequency electromagnetic radiation emissions, faced with an impending increase in the levels that already cause me disabling health effects by multiple actors including OneWeb, and which I must address simultaneously to the extent I am able.

The existence of electromagnetic sensitivity and that it can be disabling is widely known by federal agencies – U.S. Access Board, National Institute of Building Sciences, U.S. Department of Labor, Social Security Administration, and the U.S. Department of Housing and Urban Development, so I am perplexed that OneWeb seems ignorant of it, since radiofrequency electromagnetic radiation is central to its business plan and this issue has relation to compliance in laws. Yet, OneWeb seems to be ignorant of other environmental and public health issues related to it, relying on a non-health, non-medical, non-environmental agency for its assurance and guidance.

This is very disturbing and leaves the public unprotected environmentally and financially.

OneWeb makes arguments on statutory authority (p. 7), but even an ordinary person such as myself knows that the FCC cannot give, grant or adopt that which runs afoul or neglects other laws or violate its first responsibility to promote the safety of life and property, and it is a waste of court time and public monies and an apparent dereliction of duty when it does so. As far as the FCC grants of V-Band access, the Commission must fulfill its first duty to protect the safety of life and property. If it cannot do that, then it has improperly granted V-Band use to a party.

As to public health effects, OneWeb also appears to confuse compliance with safety, ignoring even the FCC's statement that its guidelines are for the general public. I am not the

general public. Neither are approximately 2-6% of the population who are severely disabled by electromagnetic sensitivity. I also provided ample evidence from the public record that environmental effects will occur, many of them grave. OneWeb's statement alleging this is "wildly inaccurate" dismisses evidence of hundreds of scientists and medical doctors, and is not credible and should be disregarded. By making this allegation, OneWeb casts additional doubt on the thoroughness of its application and review prior to application.

OneWeb misstates FCC's ruling in 19-226 and seems wholly ignorant of the FCC proceeding. The FCC did not conduct a "comprehensive review". ¶ 2 states the Commission only "review[ed]" what was submitted into the docket and the brief information submitted outside the comment record by the FDA and EPA. This is far different than a thorough examination, an investigation, a literature review, or research. And the FCC freely admits it has not expertise on this. In stark contrast to OneWeb claims of "no evidence" found by the FCC, ample scientific evidence was submitted into the record from scientists and medical professionals, and it is as yet unclear how or even if the FCC reviewed this evidence at all.

OneWeb's claims that the V-Band Grant is unrelated to harms is illogical. OneWeb artificially separates the V-Band Grant from its use. The V-Band Grant is not an abstract concept or disembodied piece of paper. OneWeb's business plan and execution implements V-Band use. The FCC is the proverbial sluice gate for the V-Band, and OneWeb is the conduit for this radiation. The V-Band Grant puts the flow of the V-Band into OneWeb's hands. The effects I raised are examples of OneWeb's conduit use of that V-Band. All the harms I included (and I request all those citations and links to be incorporated by reference) are a consequence of the V-Band Grant and occur as a direct result. My arguments are on point. OneWeb's claims should be disregarded.

Lastly, FCC lets OneWeb choose a business plan, and that plan has to comport with all laws. OneWeb can choose any plan it wants that doesn't violate laws, but the plan it chose would seem to violate the laws I indicated as examples, and there may be many more laws at issue.

For these reasons, I request that the FCC grant my request for reconsideration and stay.

Sincerely,

/s/ Nina Beety

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