

# In-Orbit Servicing: risks and insurance needs

**Rome, 4 June 2024** «Le assicurazioni per lo spazio. Lo spazio per le assicurazioni»

> Federico Bergamasco, PhD Assistant Legal Counsel

# PIONEER IN SPACE LOGISTICS







## 300 15

people and missions growing

ION in orbit

13

payloads in space

140 +

Commercial customers in 4 continents

Presence in Italy, UK, Portugal and USA

Leading player in the Space Logistics market



PAGE 2

#### PRODUCTS AND SERVICES

#### ADDRESSING THE NEEDS OF TODAY WHILE DESIGNING THE TECHNOLOGY OF TOMORROW



**Space Transportation Services:** solutions to address the needs of the small satellite market in terms of launch and deployment, operations on payloads, including testing of new technologies in orbit.



**Space Cloud Services:** an innovative space cloud-based technology that will enable close to real-time data computing and data storage directly in orbit.



**Satellite as a Service:** a model that allows customers to leverage the capabilities of satellite technology without having to invest in and operate their own satellite infrastructure.



**In-Orbit Servicing:** services powered by proprietary robotic servicing vehicles designed to achieve multiple mission objectives throughout their lifespan (e.g., inspection, assembly, refurbishment, refueling, and debris removal).



**Mission Exploitation Services:** Aurora, a cloud-based mission control software suite designed to control a single satellite or a complete constellation through a control web interface.



#### D-ORBIT IOS BUSINESS LINE THE NEXT GENERATION OF IN-ORBIT SERVICING SPACECRAFT

- D-Orbit is developing a dedicated In-Orbit Servicing business line
- GEA: a next-generation spacecraft with in-orbit servicing capabilities, such as rendezvousing, docking with, and taking over the attitude and orbit control functions of another spacecraft for repair, life extension, or disposal
- Multi-mission, multi-environment through physical re-configuration
- 7 years service lifetime



#### RISK TYPES IN IOS MISSIONS

OPERATOR'S PERSPECTIVE

- Asset value + service revenues
  - «first party» operator risk
- Property damage (or bodily injury) caused to the customer or other mission participants
  - «inter-party» liability
- Property damage (or bodily injury) caused to third parties
  - «third party» liability

- Analogous to risk types in «traditional» space missions
- Technical and operational complexity of IOS missions pose unprecedented challenges

### OPERATOR «FIRST PARTY» RISKS

#### ASSET VALUE + SERVICE REVENUES

#### • «Traditional» space missions:

- no-warranties clauses in the contract (es. launch contracts)
- purchase of launch/in-orbit insurance

- IOS missions: no substantial difference, however:
  - complex multi-activity, multi-customer, multi-phase missions require ad-hoc insurance solutions
    - es. specific insurance policy for each phase/mission/customer or comprehensive «operational life» insurance package?
  - In the mid-term future market standard will move away from no-warranties clauses
    - expanded scope for new insurance solutions?



### «INTER-PARTY» LIABILITY

PROPERTY DAMAGE CAUSED TO THE CUSTOMER OR TO OTHER MISSION PARTICIPANTS

- «Standard» launch missions:
  - cross-waiver of liability clauses
  - either voluntary or imposed by law (es. US FAA Waiver of Claims)
- IOS missions: no substantial difference
  - customer should be «ready» to lose spacecraft
  - o cross-waiver of liability expected to become market standard also in IOS commercial
  - contracts
- Is there room for voluntary or mandatory insurance? Should ad-hoc insurance solutions be developed?



### «THIRD PARTY» LIABILITY

PROPERTY DAMAGE OR BODILY INJURY CAUSED TO THIRD PARTIES

- Most significant risk in IOS missions
- Challenges:
  - Missions' complexity and flexibility (unknown customers and unexpected operations)
  - hard to calculate the maximum possible loss (es. pollution of multiple orbits with space debris following an accidental collision)
  - collective interest involved
  - States exposed to international liability (Liability Convention)
  - role of the regulator and of domestic legal frameworks
- D-Orbit favours development of policy and regulatory incentives that foster the adoption of affordable TPL insurance



### D-ORBIT'S REMARKS

- Risks and challenges of IOS missions still subject to technical assessment
- D-Orbit believes that insurance is an important enabler for the development of sustainable IOS capabilities and market
- Relevant themes:
  - more complex risk profile of IOS missions calls for new insurance solutions
  - insurance costs
  - availability and suitability of national legal frameworks and policies
  - challenges of multi-national missions
- Open to discussion among operators, insurers and regulators



