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S2801 SAT-A/O-20091208-00141 IB2009008025  
Intelsat North America LLC  
NSS-5

APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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**APPLICANT INFORMATION**

Enter a description of this application to identify it on the main menu:  
Authority to Operate the Ku-band Frequencies of NSS-5 at 340.0 E.L.

1-8. Legal Name of Applicant			
Name:	Intelsat North America LLC	Phone Number:	202-944-7848
DBA Name:		Fax Number:	202-944-7870
Street:	c/o Intelsat Corporation 3400 International Drive, N.W.	E-Mail:	susan.crandall@intelsat.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20008 -3006
Attention:	Susan H. Crandall		



**GRANTED\***  
International Bureau

\* subject to conditions

**File #** SAT-A/O - 20091208 - 00141

**Call Sign** S2801    **Grant Date** 06/04/10  
(or other identifier)

**Term Dates**  
**From** 06/04/10    **To:** 09/23/12

**Approved:** *Steph J. Duall*  
Steph J. Duall  
Chief, Satellite Policy Branch

**Attachment to Grant**  
**IBFS File No. SAT-A/O-20091208-00141**  
**Call Sign S2801**  
**June 4, 2010**

The application of Intelsat North America LLC (Intelsat) for authority to operate the Ku-band frequencies of the in-orbit NSS-5 space station (Call Sign: S2801) at the 20.0° W.L. orbital location, IBFS File No. SAT-A/O-20091208-00141, is granted.<sup>1</sup> Accordingly, Intelsat is authorized to operate the NSS-5 space station to provide Fixed Satellite Service (FSS) in the 10950–11200 MHz (space-to-Earth), 11450–11700 MHz (space-to-Earth), 11700 to 11950 MHz (space-to-Earth), 12500–12750 MHz (space-to-Earth), and 14000–14500 MHz (Earth-to-space) frequency bands from the 20.0° W.L. orbital location.<sup>2</sup> Additionally, Intelsat is authorized to use tracking beacons for the NSS-5 space station at the 20.0° W.L. orbital location using the following frequencies: 11198.0 MHz (right-hand circular polarization/space-to-Earth), 11452.0 MHz (right-hand circular polarization/space-to-Earth), 11701.0 MHz (vertical polarization/space-to-Earth) or 11701.0 MHz (horizontal polarization/space-to-Earth), 12501.0 MHz (vertical polarization/space-to-Earth), or 12501.0 MHz (horizontal polarization/space-to-Earth).<sup>3</sup> This authorization shall be in accordance with the technical specifications set forth in Intelsat's application, Federal Communications Commission (Commission) rules, and the following conditions:

1. Intelsat's request for a waiver of Sections 25.114(d)(14)(ii) and 25.283(c) of the Commission's rules, 47 C.F.R. §§ 25.114(d)(14)(ii), 25.283(c), is granted. Sections 25.114(d)(14)(ii) and 25.283(c) specify that space stations must discharge all stored energy sources at the end-of-life of the space station. Intelsat indicates that NSS-5's oxidizer tanks were sealed, with remaining oxidizer inside, shortly after launch of the spacecraft in September of 1997. This waiver is granted based on the impossibility of compliance with the rule, which was subsequently adopted. In making this determination, we note that the information submitted in the application is not sufficient

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<sup>1</sup> New Skies Satellites B.V. (New Skies) has separately filed a Petition for Declaratory Ruling to have its NSS-5 space station placed on the Commission's Space Station Permitted List at the 20° W.L. orbital position. See IBFS File No. SAT-PPL-20091208-00142; SAT-APL-20100219-00034 (granted June 4, 2010). NSS-5 is currently located at 20° W.L. and is communicating with U.S. earth stations from this location pursuant to grants of special temporary authority. See IBFS File Nos. SES-STA-20100217-00209 (granted Feb. 26, 2010), SES-STA-20100323-00350 (granted Apr. 14, 2010); SES-STA-20100421-00464 (granted Apr. 27, 2010); SES-STA-20100525-00646 (granted May 28, 2010); SES-STA-20100219-00229 (granted Feb. 26, 2010); SES-STA-20100223-00243 (granted Mar. 4, 2010); SES-STA-20100322-00341 (granted Mar. 30, 2010); SES-STA-20100323-00348 (granted Apr. 14, 2010); SES-STA-20100408-00425 (granted Apr. 14, 2010); SES-STA-20100426-00476 (granted Apr. 27, 2010); SES-STA-20100426-00477 (granted Apr. 27, 2010); SES-STA-20100511-00577 (granted May 20, 2010); and SES-STA-20100521-00637 (granted May 28, 2010).

<sup>2</sup> Intelsat's application indicates that the NSS-5 space station's operations will replace operations of Intelsat 603, which formerly operated at the 19.95° W.L. orbital location. However, Intelsat will operate the Ku-band frequencies of NSS-5 in the 11700-11950 MHz (space-to-Earth) and 12500–12750 MHz (space-to-Earth) bands that were not available on Intelsat 603.

<sup>3</sup> Waiver of Section 25.202(g) of the Commission's rules, 47 C.F.R. § 25.202(g), in connection with use of C-band frequencies for telemetry, tracking, and telecommand (TT&C) functions for NSS-5, was granted, with conditions, as part of New Skies' Petition for Declaratory Ruling. See *supra*, note 1.

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**June 4, 2010**

to support a finding that the intent of the rule would be satisfied by the described procedure for sealing the oxidizer tank.

2. Intelsat will maintain control over the operation of the Ku-band frequencies on the NSS-5 space station (including the Ku-band tracking beacons) and will have the sole right to direct New Skies to promptly deactivate these Ku-band frequencies in order to comply with U.S. laws and regulations.

3. Operations in the 10.95-11.2 GHz and 11.45-11.7 GHz frequency bands are limited to international service only pursuant to Footnote NG104 to the Table of Frequency Allocations and Section 25.202(a)(1), 47 C.F.R. §§ 2.106, NG104, 25.202(a)(1).

4. Operations in the 10.95-11.2 GHz and the 11.45-11.7 GHz frequency bands shall comply with the terms of Footnote US211 to the Table of Frequency Allocations, 47 C.F.R. § 2.106, US211, which urges applicants for airborne or space station assignments to take all practicable steps to protect radio astronomy observations in the adjacent bands from harmful interference.

5. Intelsat's operations of the Ku-band frequencies on NSS-5 at the 20.0° W.L. orbital location in the 10950–11200 MHz (space-to-Earth), 11450–11700 MHz (space-to-Earth), 11700 to 11950 MHz (space-to-Earth), 12500–12750 MHz (space-to-Earth), and 14000–14500 MHz (Earth-to-space) frequency bands are subject to the following conditions:

- (a) Intelsat shall remain a signatory to the Public Services Agreement between Intelsat and the International Telecommunications Satellite Organization (ITSO) that was approved by the ITSO Twenty-fifth Assembly of Parties, as amended.
- (b) No entity shall be considered a successor-in-interest to Intelsat under the ITSO Agreement for licensing purposes unless it has undertaken to perform the obligations of the Public Services Agreement approved by the Twenty-fifth Assembly of Parties, as amended.

6. The Commission has exchanged letters with the Netherlands Radio Communications Agency to ensure a mutual understanding regarding the operations of the NSS-5 space station. The understandings and factual basis for these understandings are attached in Annex A and are material considerations for the grant of this authority.

7. The license term for this authorization expires on September 23, 2012, which is fifteen years from NSS-5's launch date of September 23, 1997.

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8. Intelsat is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

9. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.



\*subject to conditions

File # SAT-A/O-20091208-00141

Call Sign S2801 Grant Date 06/04/10

(or other identifier)

Term Dates  
From 06/04/10 To: 09/23/12

Approved: *Stephen J. Duall*  
Stephen J. Duall  
Chief, Satellite Policy Branch

**Attachment to Grant**  
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**June 4, 2010**

**Annex A**



International Bureau

Federal Communications Commission  
Washington, DC 20554

May 21, 2010

Netherlands Radio Communications Agency  
Mr. J.G. Kroon  
Advisor Space Communications  
Emmasingel 1  
9726 AH Groningen  
The Netherlands

Re: Operations of the NSS-5 satellite at the 20° W.L. orbital location

Dear Mr. Kroon:

This letter is to confirm the informal understanding of the Netherlands Radio Communication Agency (Agentschap Telecom or AT) and the Federal Communications Commission (FCC) concerning the proposed operations of the NSS-5 space station at the 20° W.L. orbital location.

The NSS-5 satellite operates using C-band (3625-4200 MHz downlink and 5850-6425 MHz uplink) and Ku-band (10.95-11.2 GHz/11.45-11.7 GHz/11.7-11.95 GHz/12.5-12.75 GHz downlink and 14-14.5 GHz uplink) frequencies, with Telecommand, Telemetry and Control (TT&C) for the satellite bus in the C-band frequencies. There are also a number of tracking beacons in the Ku-band frequencies for customers in that band to calibrate their transmissions and adjust antenna pointing.

New Skies Satellites B.V. (New Skies) is authorized by the AT to operate the C-band frequencies (including the C-band TT&C frequencies) on the NSS-5 satellite at 20° W.L. New Skies plans to provide commercial communications services within the service area of the NSS-5 space station. New Skies will control the NSS-5 spacecraft using primary TT&C earth station facilities located in Luxembourg, with backup earth station facilities located in the U.S. New Skies will also have remote control capability from its headquarters in The Hague that will, if required by the Dutch Administration, enable satellite operations to be controlled from the territory of The Netherlands.

Intelsat North America LLC (Intelsat) has filed an application with the FCC for authority to operate the Ku-band frequencies and the Ku-band tracking beacons on NSS-5 at 20° W.L. under an FCC license. Intelsat and New Skies have agreed that Intelsat will operate the Ku-band payload and Ku-band tracking beacons on the NSS-5 satellite at 20° W.L. pursuant to such license.

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Pursuant to an agreement between Intelsat (through its affiliate, Intelsat Global Sales & Marketing, Ltd.) and New Skies, Intelsat will maintain control over the operation of the Ku-band frequencies and thus have the sole right to direct New Skies to promptly deactivate the Ku-band frequencies (including the Ku-band tracking beacons) in order to comply with U.S. laws and regulations. New Skies will maintain control of C-Band frequencies and the satellite bus. The agreement is limited to operations at the 20° W.L. orbital location.

**Informal Understandings Between AT and the FCC Concerning Intelsat's Proposed Operation of the Ku-band Payload Onboard New Skies' NSS-5 Satellite**

It is my understanding that our agencies have concurred on the following technical issues concerning the operation of the Ku-band payload onboard the NSS-5 satellite:

1. For purposes of Regulation 18.1 of the International Telecommunication Union (ITU) Radio Regulations, the FCC is the licensing administration for the Ku-band space station at 20° W.L., and the AT is the licensing administration for the C-band space station of the NSS-5 satellite while it operates at the 20° W.L. orbital location.
2. Operation of the NSS-5 satellite in the C-band and Ku-band at any location other than 20° W.L. will be subject solely to the licensing authority of the AT, including any operations as a result of equipment failure in that satellite that results in the inability to maintain the satellite within  $\pm 0.05^\circ$  of its assigned position at the 20° W.L. orbital location.
3. AT will consult with the FCC, if practicable, prior to any relocation of the satellite, or as soon thereafter as possible. Additionally, AT and the FCC will consult with each other prior to any transfer of their respective licensing authority regarding the NSS-5 satellite to a third administration.
4. New Skies, under the authority issued by AT, will maintain control over the physical operations of the NSS-5 satellite using authorized TT&C earth station facilities located in Luxembourg or the U.S., which will also be operable from The Netherlands. The U.S. licensee will retain the unilateral right to direct New Skies to cease operations of the NSS-5 Ku-band payload, without the need for consultation with or approval from AT, in order to comply with any U.S. statute or FCC rule, regulation, or order, including but not limited to any direction by the U.S. President under Section 706(c) of the Communications Act of 1934, as amended, 47 U.S.C. § 606(c), and New Skies will be required to comply with any such direction. The FCC will inform AT, at the earliest practicable time, of any such a directive.
6. New Skies' license under the Space Activities Act of the Netherlands requires New Skies to ensure (among other things) that, at the end of a space object's life span, adequate fuel supply is onboard to transport the space object to a de-commissioning orbit or de-commissioning zone, sufficiently above the geostationary orbit that it will not re-enter the region below around 200 kilometers higher than geostationary orbit (or approximately 35,986 kilometers).

The FCC has not presently issued any permanent authorizations for operations of the Ku-band frequencies on the NSS-5 satellite at the 20° W.L. orbital location. Intelsat's application for such authority is pending and will require separate action by the FCC. This exchange of letters

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does not constitute approval of that application. If no such authorization is issued, the understandings in this letter will expire.

The informal understandings set forth in this letter concerning operation of the NSS-5 satellite do not constitute a concurrence by either AT and the Dutch Administration or the FCC and the U.S. Administration to any filings with the ITU. I have every confidence that the two Administrations will, separately, and as part of the any agreement-seeking processes applicable under the ITU Radio Regulations, continue to work cooperatively and in good faith.

Lastly, all notices, inquiries, and correspondences from AT concerning these matters should be directed to the Chief, Satellite Division, International Bureau (phone number 202-418-2341) (e-mail [robert.nelson@fcc.gov](mailto:robert.nelson@fcc.gov), with a copy to [Karl.Kensinger@fcc.gov](mailto:Karl.Kensinger@fcc.gov)), on the part of the FCC. The FCC will forward all notices, inquiries, and correspondences concerning these matters to the Mr. J.G. Kroon (phone number +31 50 5877 344 and e-mail [johan.kroon@at-ez.nl](mailto:johan.kroon@at-ez.nl)), on the part of AT. Please let us know if this address subsequently changes.

If the foregoing corresponds to your understanding of the informal arrangements between our two agencies concerning the various issues involved in the proposed operation of the NSS-5 satellite at the 20° W.L orbital location, please confirm by return letter. Thank you.

Sincerely,



Robert G. Nelson  
Chief,  
Satellite Division

cc: Ms. Susan Crandall  
Assistant General Counsel  
Intelsat Corporation  
3400 International Drive  
Washington, DC 20008

Joslyn Read  
Vice President, Regulatory Affairs  
New Skies Satellites B.V.  
2001 L Street NW  
Washington, DC 20036

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Call Sign S2801  
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Radio  
Communications  
Agency Netherlands

To  
Mr. Robert Nelson  
Chief, Satellite Division  
International Bureau  
Federal Communications Commission  
Washington, DC 20554  
United States of America

Emmasingel 1  
PO box 450  
9700 AL Groningen  
The Netherlands  
T +31 50 587 75 55  
F +31 50 587 74 00  
www.agentschap-telecom.nl  
agentschaptelecom@at-ez.nl

Contact : J.G. Kroon  
Telephone : +31 50 5877 344  
Our reference : AT-EZ/6418032  
Enclosure(s) : -  
Subject : Operations of the NSS-5 satellite at the 20° W.L. orbital location  
Date : 25 May 2010  
Your reference :  
Number of pages : 1 of 1

Dear Mr. Nelson,

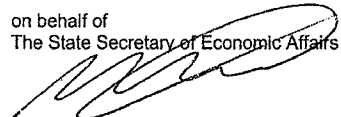
Thank you for your letter of 21 May 2010, setting out our informal understandings concerning the proposed operations of New Skies Satellites B.V.'s NSS-5 satellite and the various issues involved in Intelsat's proposed operation of the Ku-band payload on the satellite.

I am pleased to provide my confirmation of these understandings.

I want to express my appreciation for the support your administration is giving to this kind of commercial arrangement to facilitate the delivery of important and valuable satellite services in our respective countries.

Yours sincerely,

on behalf of  
The State Secretary of Economic Affairs



M.M. Hoogland MSc.MBA  
Head of the Networks Department  
Radiocommunications Agency Netherlands

Ministry of Economic Affairs



9-16. Name of Contact Representative

Name: Intelsat North America LLC Phone Number: 202-944-7848  
 Company: c/o Intelsat Corporation Fax Number: 202-944-7870  
 Street: 3400 International Drive, N.W. E-Mail: susan.crandall@intelsat.com  
 City: Washington State: DC  
 Country: USA Zipcode: 20008 - 3006  
 Attention: Susan H. Crandall Relationship: Legal Counsel

CLASSIFICATION OF FILING

17. Choose the buttonnext to the classification that applies to thisfiling for both questions a. and b. Choose only one for 17a and only one for 17b.

- a.  
 a1. Earth Station  
 a2. Space Station

- b.  
 b1. Application for License of New Station (N/A)  
 b2. Application for Registration of New Domestic Receive-Only Station (N/A)  
 b3. Amendment to a Pending Application (N/A)  
 b4. Modification of License or Registration (N/A)  
 b5. Assignment of License or Registration (N/A)  
 b6. Transfer of Control of License or Registration (N/A)  
 b7. Notification of Minor Modification (N/A)  
 b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite

- b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States  
 b10. Replacement Satellite Application - no new frequency bands  
 b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)  
 b12. Petition for Declaratory Ruling to be Added to the Permitted List (N/A)  
 b13. Other (Please specify)

<p>17c. Is a fee submitted with this application?  <input checked="" type="radio"/> If Yes, complete and attach FCC Form 159.  If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).  <input type="radio"/> Governmental Entity    <input type="radio"/> Noncommercial educational licensee  <input checked="" type="radio"/> Other (please explain):</p>	<p>17c. Fee Classification    BNY – Space Station (Geostationary)</p>
<p>18. If this filing is in reference to an existing station, enter:  (a) Call sign of station:  Not Applicable</p>	<p>19. If this filing is an amendment to a pending application enter:  (a) Date pending application was filed:  Not Applicable  (b) File number of pending application:  Not Applicable</p>

**TYPE OF SERVICE**

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:

- a. Fixed Satellite
- b. Mobile Satellite
- c. Radiodetermination Satellite
- d. Earth Exploration Satellite
- e. Direct to Home Fixed Satellite
- f. Digital Audio Radio Service
- g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

- Common Carrier
- Non-Common Carrier

22. If earth station applicant, check all that apply.  
Not Applicable

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

- Connected to a Public Switched Network
- Not connected to a Public Switched Network
- N/A

24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).

- a. C-Band (4/6 GHz)
- b. Ku-Band (12/14 GHz)
- c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: \_\_\_\_\_ Frequency Upper: \_\_\_\_\_ (Please specify additional frequencies in an attachment)

**TYPE OF STATION**

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- (N/A) a. Fixed Earth Station
- (N/A) b. Temporary-Fixed Earth Station
- (N/A) c. 12/14 GHz VSAT Network
- (N/A) d. Mobile Earth Station
- e. Geostationary Space Station.
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY: Not Applicable

**PURPOSE OF MODIFICATION**

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

**ENVIRONMENTAL POLICY**

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

Yes  No

**ALIEN OWNERSHIP**

Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

<p>29. Is the applicant a foreign government or the representative of any foreign government?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>30. Is the applicant an alien or the representative of an alien?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>31. Is the applicant a corporation organized under the laws of any foreign government?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.</p>	

**BASIC QUALIFICATIONS**

<p>35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.</p>	<p style="text-align: right;"> <input checked="" type="radio"/> Yes   <input type="radio"/> No </p> <p style="text-align: right;">Technical Exhibit</p>
<p>36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p style="text-align: right;"> <input checked="" type="radio"/> Yes   <input type="radio"/> No </p>
<p>37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p style="text-align: right;"> <input type="radio"/> Yes   <input checked="" type="radio"/> No </p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances</p>	<p style="text-align: right;"> <input type="radio"/> Yes   <input checked="" type="radio"/> No </p>
<p>39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.</p>	<p style="text-align: right;"> <input type="radio"/> Yes   <input checked="" type="radio"/> No </p>

<p>40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.</p>
<p>41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.</p> <p style="text-align: right;"> <input checked="" type="radio"/> Yes    <input type="radio"/> No </p>
<p>42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.</p> <p style="text-align: right;"> <input type="radio"/> Yes    <input checked="" type="radio"/> No </p>
<p>42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?</p>

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Intelsat North America LLC, pursuant to Section 25.114 of the rules of Federal Communications Commission, hereby applies for authority to operate the Ku-band frequencies of the in-orbit NSS-5 satellite at 340.0 E.L. beginning at the end of February 2010. The NSS-5 satellite will replace the Intelsat 603 satellite, call sign S2399, which is

Narrative & Exhibits

43a. Geographic Service Rule Certification

A

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

B

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

C

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.





**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

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**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104–13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

**43. Description. (Summarize the nature of the application and the services to be provided).**

Intelsat North America LLC, pursuant to Section 25.114 of the rules of Federal Communications Commission, hereby applies for authority to operate the Ku-band frequencies of the in-orbit NSS-5 satellite at 340.0 E.L. beginning at the end of February 2010. The NSS-5 satellite will replace the Intelsat 603 satellite, call sign S2399, which is currently operating at 19.95 W.L.