



a relaxation. Although DIRECTV is willing to work with MSV on spacing issues at 101° W.L. to find an accommodation (if possible), it cannot support MSV's stationkeeping proposal at this time.

By way of background, DIRECTV operates four satellites at the 101° W.L. orbital location, where two other satellites also now operate.<sup>2</sup> DIRECTV plans to launch another satellite to this location next spring,<sup>3</sup> and it intends to launch additional satellites there in the future. The 101° W.L. orbital location thus is, and will remain, one of the most congested places in the U.S. orbital arc. Moreover, DIRECTV is constrained by international agreement to locate all of its DBS satellites at the nominal 101° W.L. orbital location within a 0.4° "box" bounded by 100.8° W.L. and 101.2° W.L.

MSV now seeks to operate a new, as-yet-undesignated satellite at this crowded location with a stationkeeping tolerance of  $\pm 0.1^\circ$ , rather than the  $\pm 0.05^\circ$  typically contemplated by the Commission's rules.<sup>4</sup> In other words, MSV seeks to operate within one half of the "box" in which all DIRECTV satellites must operate. Asked to provide "further information regarding the cost benefits or other support for its [stationkeeping] request," MSV argues that, because its new satellite will be similar to a Boeing 702 or Eurostar 3000 satellite, "the alternative of maintaining a  $\pm 0.05^\circ$  East-West station keeping box would severely penalize the replacement satellite by necessitating excessive

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<sup>2</sup> The satellites operating at this nominal orbital location are DIRECTV 1, 1R, 2, and 4S, as well as the AMC 4 and AMSC 1 satellites.

<sup>3</sup> See Public Notice, DA 04-3529 (rel. Nov. 5, 2004)(reflecting authorization of DIRECTV 8 DBS/Ka-band hybrid satellite at 100.85° W.L.).

<sup>4</sup> See Mobile Satellite Ventures Subsidiary LLC, Amendment to Application for Authority to Launch and Operate a Replacement MSS Satellite at 101° W.L., File No. SAT-AMD-20040209-00014 (filed Feb. 9, 2004) ("February Amendment"). For reasons unrelated to these comments, the International Bureau first dismissed this February Amendment, then reinstated it. See Letter from Thomas S. Tycz, Chief, Satellite Division, International Bureau to Lon C. Levin, Vice President, Mobile Satellite Ventures Subsidiary LLC, DA 04-1095 (rel. April 23, 2004); *Mobile Satellite Ventures Subsidiary LLC*, DA 04-2985 (rel. Sept. 15, 2004).

fuel expenditures, resulting in either a significant decrease in satellite lifetime or a severe reduction in the available mass for the communications payload.”<sup>5</sup>

DIRECTV is not without sympathy for MSV’s argument that a wider stationkeeping area would help it save fuel. This, however, is true of *all* satellites. All satellite operators, including DIRECTV, could save fuel with wider stationkeeping areas. The Commission nonetheless typically requires narrow stationkeeping areas in order to maximize the use of scarce orbital resources and minimize the likelihood of collision.<sup>6</sup> MSV has failed to demonstrate why it should be treated differently – and at the 101° W.L. orbital location of all places.

The Commission, it is true, has deferred the issue of whether its rules should require MSS satellites to operate within the  $\pm 0.05^\circ$  stationkeeping tolerance required for Fixed-Satellite Service (“FSS”) satellites.<sup>7</sup> Yet in proposing such a requirement, the Commission postulated that FSS stationkeeping rules could be “useful as basic ‘rules of the road’ for the purpose of limiting the probability of collision with other large objects, particular with respect to potential collisions between functional spacecraft at geostationary orbit.”<sup>8</sup> If this is true anywhere, it is true at 101° W.L. Put another way, the particularly challenging physical sharing environment at 101° W.L. is just about the *last* orbital location where one would want to experiment with a wider stationkeeping area – and is just about the last orbital location where such experimentation could be justified on the generic grounds of fuel savings.

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<sup>5</sup> Sept. Amendment at Tech. App. 5.

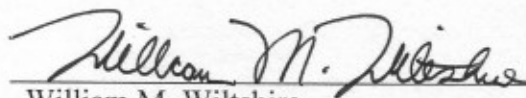
<sup>6</sup> See 47 C.F.R. § 25.210(j).

<sup>7</sup> *Mitigation of Orbital Debris*, 19 FCC Rcd. 11567, 11586 (2004) (discussing extension of stationkeeping requirements beyond Fixed-Satellite Service operators).

<sup>8</sup> *Mitigation of Orbital Debris*, Notice of Proposed Rule Making, 17 FCC Rcd. 5586, 5606 (2002).

This does not mean that MSV's request cannot be accommodated – only that MSV has failed to justify its request for special treatment. As with any orbital location at which it operates, DIRECTV is ready and willing to work with MSV on spacing issues at the 101° W.L. slot. In addition, perhaps MSV and the Commission should consider whether MSV would be better able to operate from a location slightly offset from 101° W.L. – *i.e.*, outside of the congested 100.8° W.L.-101.2° W.L. “box” in which DIRECTV must operate by international agreement. But, as the operator with the most existing and proposed satellites that would be constrained by MSV's request, DIRECTV cannot support the request as currently styled and justified.

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**CERTIFICATE OF SERVICE**

I hereby certify that, on this 8<sup>th</sup> day of November, 2004, a copy of the foregoing  
Comments of DIRECTV, Inc. was served by first class mail, postage prepaid, upon:

Bruce D. Jacobs  
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Washington, DC 20037

A handwritten signature in cursive script, appearing to read "Bruce D. Jacobs", written over a horizontal line.