

S2396 SAT-AMD-20100104-00003
Intelsat License LLC
INTELSAT 709

IB2010000067

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File # SAT-AMD-20100104-00003

Call Sign S2396 Grant Date 02/11/11
(or other identifier)

From 02/10/11 To: see conditions

Approved by OMB
3060-0678

Approved: *Stephen J. Duall*

Stephen J. Duall
Chief, Satellite Policy Branch

* See also
SAT-MOD-20091106-00117

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM

FCC Use Only

FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Amendment of Application to Modify Intelsat 709 Authorization to Relocate to 54.85 E.L. (S2396)

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		

Attachment to Grant
IBFS File Nos. SAT-MOD-20091106-00117; SAT-AMD-20100104-00003
Call Sign S2396

The request of Intelsat License LLC (formerly Intelsat North America LLC) (Intelsat) to modify its authority in order to operate its C- and Ku-band space station, Intelsat 709 (Call Sign: S2396) at the 54.85° E.L. orbital location, IBFS File No. SAT-MOD-20091106-00117, as amended by SAT-AMD-20100104-00003, is granted.¹ Accordingly, Intelsat is authorized to operate the Intelsat 709 space station in the 3700–4200 MHz (space-to-Earth), 5925–6425 MHz (Earth-to-space), 10.95–11.20 GHz (space-to-Earth), 11.45–11.70 GHz (space-to-Earth), 12.50–12.75 GHz (space-to-Earth), and 14.0–14.5 GHz (Earth-to-space) frequency bands to provide fixed-satellite service (FSS) from the 54.85° E.L. orbital location.² Additionally, Intelsat is authorized to conduct Telemetry, Tracking, and Telecommand (TT&C) operations with the Intelsat 709 space station at the 54.85° E.L. orbital location using the following frequencies: 6173.7 MHz and 6176.3 MHz (left-hand circular polarization/Earth-to-space); and 3947.5 MHz, 3948.0 MHz, 3952.5 MHz, and 3952.0 MHz (right-hand circular polarization/space-to-Earth). This authorization shall be in accordance with the technical specifications set forth in Intelsat's application, the Commission's rules, and the following conditions:

1. Intelsat's operations at the 54.85° E.L. orbital location shall be on a non-harmful interference basis, i.e., Intelsat shall not cause harmful interference to, and shall not claim protection from, interference cause to it by, any other lawfully operating space station. In the event of any harmful interference during Intelsat's operations at the 54.85° E.L. orbital location, Intelsat shall cease operations immediately upon notification of such interference, and shall inform the Commission, in writing, immediately of such an event.
2. Intelsat shall inform its customers that operations at the 54.85° E.L. orbital location are on a non-harmful interference basis and that Intelsat must cease operations upon notification of such interference.
3. Intelsat's request that the Part 25 technical waivers previously granted for the operations of Intelsat 709, *i.e.* Sections 25.202(g), 25.210(a)(1), 25.210(a)(3), 25.210(i)(1), and 25.211(a), continue to apply to the operations of Intelsat 709 at the 54.85° W.L. orbital location IS GRANTED. *See* Intelsat LLC, Memorandum Opinion and Order, 15 FCC Rcd 15460 (2000), *recon. denied*, 15 FCC Rcd 25234 (2000).
4. While at the 54.85° E.L. orbital location, Intelsat shall maintain the Intelsat 709 space station with an east/west longitudinal station-keeping tolerance of +/- 0.05 degrees.
5. Intelsat shall maintain full operational control of the Intelsat 709 space station at all times.
6. Grant of this authorization is based on Intelsat's representation that it will dispose of the Intelsat 709 spacecraft at end of life to a minimum altitude of 150 kilometers (perigee) above the geostationary arc, that it has reserved 20.42 kilograms of fuel for this purpose, and that fuel gauging

¹ Intelsat 709 is currently operating at the 54.85° W.L orbital location pursuant to grants of special temporary authority. *See* SAT-STA-20100111-00006 (granted Feb. 12, 2010), SAT-STA-20100315-00046 (granted Mar. 30, 2010), SAT-STA-20100412-00074 (granted June 21, 2010), SAT-STA-20100427-00085 (granted May 6, 2010), SAT-STA-20100610-00128 (granted July 7, 2010), and SAT-STA-20100810-00175 (granted Aug. 25, 2010), SAT-STA-20101006-00209 (granted Oct. 15, 2010), and SAT-STA-20101207-00256 (granted Dec. 16, 2010).

² Although the Intelsat 709 space station is capable of operating in the 11.70-11.95 GHz frequency band, it will not use these frequencies at the 54.85° E.L. orbital location, *see* IBFS No. SAT-MOD-20091106-00117, Engineering Statement at 1, n.1, and use of these frequencies are not authorized at this location.

Attachment to Grant
IBFS File Nos. SAT-MOD-20091106-00117; SAT-AMD-20100104-00003
Call Sign S2396

uncertainty has been and will be taken into account in these calculations, using the methods set forth in Intelsat's application.

7. This authorization is issued on the understanding that Intelsat, pursuant to its agreement with the Indian Space Research Organization (ISRO), will conform its operations of the Intelsat 709 space station to parameters agreed to in coordination agreements between the Administration of India and other Administrations. As the United States remains the licensing authority, responsibility for both compliance with and enforcing compliance with those agreements is a matter that would arise under private law.

8. This authorization is also issued on the understanding that, in regards to filings with the International Telecommunication Union (ITU), the Administration of India is not acting pursuant to Article 9.1 of the Radio Regulation on behalf of the United States administration.

9. This authorization is also issued on the understanding that the United States remains the licensing administration, for purposes of ITU Radio Regulation 18.1, for the Intelsat 709 space station, and that its operations at 54.85° E.L. are pursuant to ITU Radio Regulation 4.4.

10. Intelsat shall prepare and submit to the Federal Communications Commission, within fifteen days following grant of this authorization, the necessary materials for submission to the ITU, pursuant to Article 8.4 of the Radio Regulations, in connection with the operations of the Intelsat 709 space station at the 54.85° E.L. orbital location.

11. This authorization is issued on the understanding that this grant is not an approval of any specific agreement entered into by Intelsat, its subsidiaries, and affiliates, nor of any specific provision of any such agreement, concerning operation of the Intelsat 709 space station, nor is it an approval of an agreement concerning any related matter, nor of any specific provision of any such agreement concerning any related matter.

12. This authorization is issued on the understanding that this grant does not in any way express a view concerning, or agreement as to, the validity or lack of validity of any ITU filing at or within the vicinity of the 54.85° E.L. orbital location.

13. In connection with the provision of service in any particular country, Intelsat is obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that country.

14. The EIRP density in the frequency bands 10.95-11.20 GHz, 11.45-11.70 GHz, and 12.50-12.75 GHz from the Intelsat 709 space station shall not exceed -30.1 dBW/Hz in the downlink, and the uplink power spectral density in the frequency band 14.0-14.5 GHz shall not exceed -54.5 dBW/Hz.

15. The EIRP density in the frequency band 3700-4200 MHz from the Intelsat 709 space station shall not exceed -45.0 dBW/Hz in the downlink and the uplink power spectral density in the frequency band 5925-6425 MHz shall not exceed -58.0 dBW/Hz.

16. The operation of the Intelsat 709 space station in the 10.95-11.20 GHz and 11.45-11.70 GHz band is limited to international operations in accordance with footnote NG 104 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, NG 104, and footnote 2 of Section 25.202(a)(1) of the Commission's rules, 47 C.F.R. § 25.202(a)(1).

17. Intelsat's use of the 10.95-11.20 GHz and the 11.45-11.70 GHz band is subject to footnote US211 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US211, which

Attachment to Grant
IBFS File Nos. SAT-MOD-20091106-00117; SAT-AMD-20100104-00003
Call Sign S2396

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, consistent with footnote US74.

18. Use of the 12.5-12.75 GHz frequency bands is not permitted for Fixed-Satellite Service in the space-to-Earth direction in Region 2.

19. Intelsat is authorized to operate the communications payload of the Intelsat 709 satellite at the 54.85° E.L orbital location until expiration of its current agreement with ISRO, which has been extended until March 31, 2011. *See* Attachment, IBFS File No. SAT-STA-20101207-00256. After this date, Intelsat must either seek authority from the Commission to extend the term of this authorization or cease operating the communications payload of the Intelsat 709 at the 54.85° E.L orbital location. Intelsat may continue to operate the TT&C payload after this date.

20. Grant of this modification application does not change the expiration date of the authorization for Intelsat 709, which is July 18, 2016.

21. Intelsat shall either establish sufficient contact with the operator of the Express AM22 space station to ascertain the times, frequencies and types of emissions to be used for the Express AM22's operations, or establish a monitoring function to determine such.

22. In the event that an operator-to-operator arrangement is not reached between Intelsat and the operator of the Express AM22 space station, and if the Express AM22 space station utilizes receive antenna diameters of less than 1.2 meters within a beam which overlaps the coverage area of the Intelsat 709 space station beam, in the 10950-11200 MHz, 11450-11700 MHz, and 12500-12750 MHz frequency bands, then Intelsat shall maintain an EIRP density of no greater than 39.25 dBW/36 MHz in the downlink transponders co-frequency with the Express AM22 transmissions utilizing those antennas.

23. Grant of this modification does not constitute "specific authority" pursuant to Section 25.161(c) of the Commission's rules.

24. Grant of this authorization is without prejudice to any decision regarding Intelsat's ability to file an application for authorization to operate a replacement space station in the 3700-4200 MHz and 5925-6425 MHz frequency bands at the 85.15° W.L. orbital location.³ Grant of this authorization does not constitute an announcement that these frequencies are available for reassignment.


25. 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.

³ Intelsat 15 (Call Sign S2789) is authorized to operate at the 85.15° E.L. orbital location that was formerly occupied by Intelsat 709. *See* SAT-LOA-20090410-00043 (granted Nov. 25, 2009). In its application to operate the Intelsat 15 at 85.15° E.L., Intelsat did not seek, and was not granted, authority to use the 3700-4200 MHz and 5925-6425 MHz frequency bands, which were authorized for use by Intelsat 709 at that location. Intelsat 709 left the 85.15° E.L. orbital location pursuant to a grant of STA. As of the date of this action, no Intelsat space station is operating in the 3700-4200 MHz and 5925-6425 MHz frequency bands at the 85.15° E.L. orbital location.

Attachment to Grant
IBFS File Nos. SAT-MOD-20091106-00117; SAT-AMD-20100104-00003
Call Sign S2396

26. 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.

SAT-MOD-20091106-00117

 GRANTED* International Bureau *with conditions	File # SAT-AMD-20100104-00003
	Call Sign S2396 Grant Date 02/11/11 (or other identifier)
	From 02/10/11 Term Dates see conditions To: conditions
	Approved: <i>Stephen J. Duall</i> Stephen J. Duall Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006-
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- a1. Earth Station
- a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- b3. Amendment to a Pending Application
- b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- b13. Amendment to a Pending Database Entry Application
- b14. Modification of Database Entry

<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 type="radio"/> Other (please explain):</p>	
<p>17d. Fee Classification CWY – Space Station Amendment (Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter: (a) Call sign of station: S2396</p>	<p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number: (a) Date pending application was filed: 11/06/2009 (b) File number: SATMOD2009110600117</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.

- Using U.S. licensed satellites
- Using Non-U.S. licensed satellites

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.

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

26. TYPE OF EARTH STATION FACILITY:

- Transmit/Receive
- Transmit-Only
- Receive-Only
- N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- a --- authorization to add new emission designator and related service
- b --- authorization to change emission designator and related service
- c --- authorization to increase EIRP and EIRP density
- d --- authorization to replace antenna
- e --- authorization to add antenna
- f --- authorization to relocate fixed station
- g --- authorization to change frequency(ies)
- h --- authorization to add frequency
- i --- authorization to add Points of Communication (satellites & countries)
- j --- authorization to change Points of Communication (satellites & countries)
- k --- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l --- authorization to change orbit location
- m --- authorization to perform fleet management
- n --- authorization to extend milestones
- o --- Other (Please specify)

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.

29. Is the applicant a foreign government or the representative of any foreign government?

Yes No

30. Is the applicant an alien or the representative of an alien?

Yes No N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

Yes No N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record 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?

Yes No N/A

<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 of record 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> <input checked="" type="radio"/> Yes <input type="radio"/> No </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> <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: center;"> <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: center;"> <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: center;"> <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: center;"> <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: center;"> <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>	
<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.)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Intelsat North America LLC hereby seeks to amend the pending application to relocate the Intelsat 709 satellite to 54.85 E.L. in order to provide a corrected Schedule S. All other information in the pending application remains unchanged and is incorporated herein by reference.</p> </div>	

43a. Geographic Service Rule Certification

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.

A

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.

B

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.

C

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.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing
Susan H. Crandall

46. Title of Person Signing
Asst. General Counsel, Intelsat Corporation

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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