

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
DIRECTV Enterprises, LLC)	
)	
Request for Special Temporary Authority to Relocate DIRECTV 1R to 56.16° E.L.)	File No. SAT-STA-20120817-00138 Call Sign S2369
)	
Application as Amended for Authorization to Operate DIRECTV 1R at 56.16° E.L.)	File Nos. SAT-LOA-20120817-00137 & SAT-AMD-20120824-00142 Call Sign S2872

COMMENTS OF NEW SKIES SATELLITES B.V.

New Skies Satellites B.V. (doing business as “SES”) hereby comments on the above-captioned request for special temporary authority of DIRECTV Enterprises, LLC (“DIRECTV”) to begin drifting the DIRECTV 1R satellite from its current location at 110° W.L. to 56.16° E.L. (the “DIRECTV 1R STA Request”). In addition, SES provides notice of its intent to participate with respect to the above-referenced DIRECTV application as amended for a Commission license to operate DIRECTV 1R at 56.16° E.L. (the “DIRECTV 1R License Application”).

DIRECTV asks for authority to begin drifting DIRECTV 1R, a Direct Broadcast Satellite (“DBS”) spacecraft, on September 3, 2012. Following arrival of the satellite at 56.16° E.L., DIRECTV proposes to operate the satellite under a U.S. license pursuant to the International Telecommunication Union (“ITU”) filings of the Russian Administration. Although the satellite is capable of operating throughout the DBS band (12.2-12.7 GHz downlink and 17.3-17.8 GHz uplink), DIRECTV is currently seeking authority to operate only in the portion of that band that is designated for broadcasting-satellite service (“BSS”) in ITU Region 1 (12.2-12.5 GHz downlink and 17.3-17.6 GHz uplink). DIRECTV explains that it has

entered into a contract under which DIRECTV 1R would be used to provide interim service pending replacement by the Russian Satellite Communications Company of the aging Bonum 1 spacecraft.

SES has a strong interest in the DIRECTV proposals because SES operates the NSS-12 spacecraft in the 12.25-12.75 GHz downlink spectrum and other frequency bands at 57° E.L., less than a degree away from the location at which DIRECTV seeks to place DIRECTV 1R. NSS-12 is licensed by the Netherlands and operates under ITU filings of the Netherlands Administration. Both the proposed operation of DIRECTV 1R in the 12.2-12.5 GHz band and DIRECTV's telemetry frequencies at 12698.25 and 12699.25 MHz potentially impact NSS-12's existing operations at 57° E.L.

SES is currently reviewing the materials submitted in support of the DIRECTV 1R License Application and plans to submit comments in that proceeding.¹ A preliminary review of DIRECTV's application, however, suggests that the operating parameters of DIRECTV1R would significantly exceed the technical parameters of the Russian RST-2 and RST-2A ITU filings, and applicable coordination agreements between the Netherlands and Russia.² DIRECTV's application also lacks an analysis of its proposed operations with respect

¹ Having declared its intent to participate in the DIRECTV 1R License Application proceeding, SES is a party for purposes of Section 1.1202(d)(1) of the Commission's rules and is entitled to be provided with advance notice and the opportunity to be present for oral presentations and to be served with a copy of written presentations with respect to all communications between the Commission and the applicant or other parties concerning the DIRECTV 1R License Application. *See* 47 C.F.R. §§ 1.1202 & 1.1208.

² For example, if one considers coverage of India, RST-2A has an EIRP of approximately 18 dBW/33 MHz at the northernmost tip of India (peak EIRP of 55 dBW – 37 dBi roll-off of its antenna gain contours as shown in Attachment A). In comparison, according to Figure B-2 of the DIRECTV application, DIRECTV-1R has an EIRP of approximately 42.8 dBW/24 MHz (peak EIRP of 57.8 dBW – 15 dBi roll-off of its antenna gain contours) over the northernmost tip of India. DIRECTV-1R's EIRP in this area in Region 3 is approximately 24 dB higher than that of the RST-2A filing. Such a difference in EIRP levels deserves further evaluation for the

to the PFD limits in Appendix 30 of the ITU Radio Regulations applicable to Region 1 BSS networks vis-à-vis fixed-satellite service (“FSS”) networks operating in the same frequency band in Region 3.³ In addition, there is no analysis of the compatibility of DIRECTV 1R’s telemetry frequencies with NSS-12’s operations less than one degree away. For all of these reasons, the Commission should refrain from granting operating authority for DIRECTV 1R until a compatibility analysis has been completed and evaluated.

Pending further Commission processing of the DIRECTV 1R License Application, the Commission must not prejudge the issues raised by the application or any other DIRECTV request for operating authority for DIRECTV 1R at 56.16° E.L. SES understands based on the Commission’s IBFS database that the DIRECTV 1R STA Request has already been granted, but the terms of the grant are not yet available. SES assumes that the grant document includes the Commission’s typical condition language making clear that: (1) drift operations pursuant to the STA are on an unprotected and non-harmful interference basis; (2) action on the STA is without prejudice to any action on the underlying DIRECTV 1R License Application or any other request for operating authority at 56.16° E.L.; and (3) any actions DIRECTV takes or expenses it incurs in reliance on the STA grant are solely at its own risk.

potential impact to operational FSS systems in Region 3, such as NSS-12. Similarly, the contours in Attachment A show that RST-2 has an EIRP of approximately 29 dBW/27 MHz over northernmost India (peak EIRP of 55 dBW – 26 dBi roll-off of its antenna gain contours), which is more than 13 dB less than that planned for DIRECTV-1R.

³ Section 25.114(d)(13) of the Commission’s rules requires that proposed BSS operations that have different technical characteristics than those in the Appendices 30 and 30A BSS and associated feeder link Plans provide an analysis with respect to the limits in Annex 1 to Appendices 30 and 30A. The relevant portion of Annex 1 is Section 6, which contains the PFD limits for proposed additions to the Regions 1 and 3 List in 12.2-12.5 GHz to seek the agreement of FSS systems in the same band in Region 3.

For the foregoing reasons, SES notifies the Commission of its intent to participate in the DIRECTV 1R License Application and requests that the Commission avoid prejudging any of the issues raised by that application pending further analysis and comment.

Respectfully submitted,

NEW SKIES SATELLITES B.V.

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Attachment A

Figure A-1: RST-2 downlink gain contours, peak EIRP of 55 dBW/27 MHz

Notice ID : 100551017
Administration : RUS
Satellite Network : RST-2
Beam : E001
Emission / Reception : E
Polarization : C
Service Area Number : 0
Service Area Name :
Reason : B
Satellite Position : 56.000

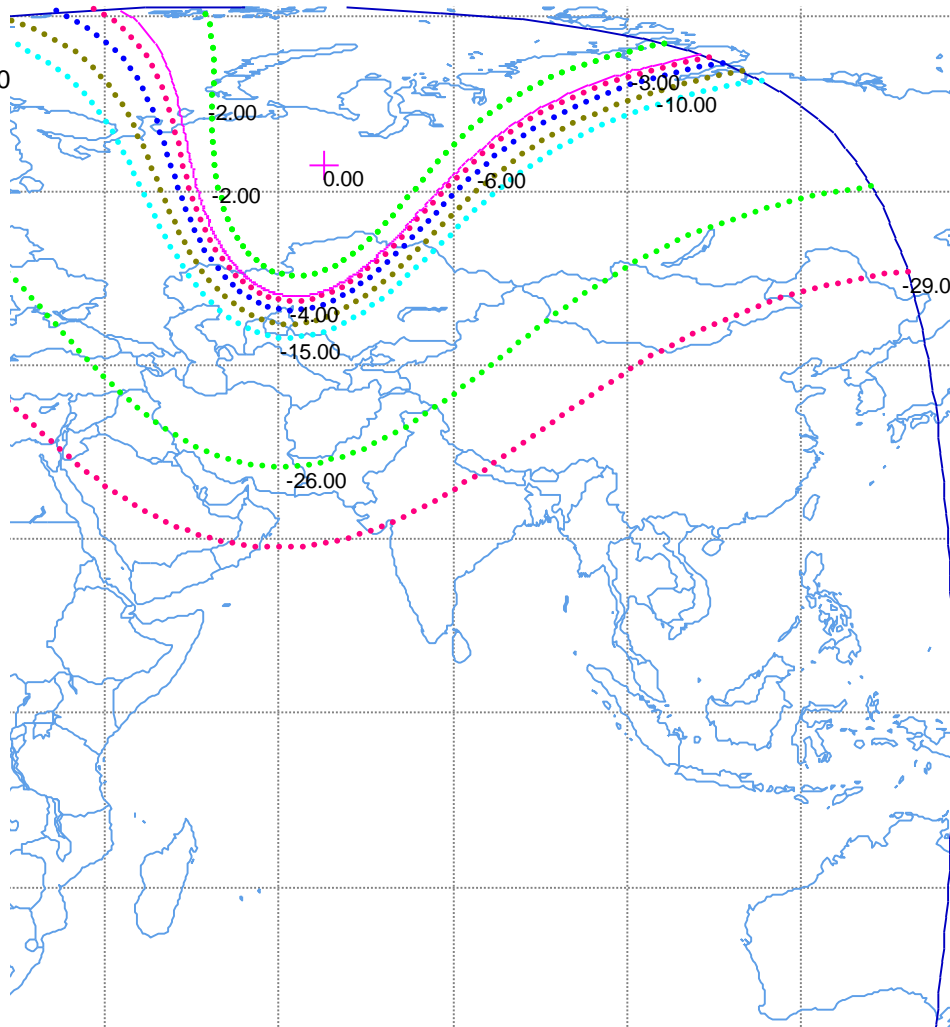
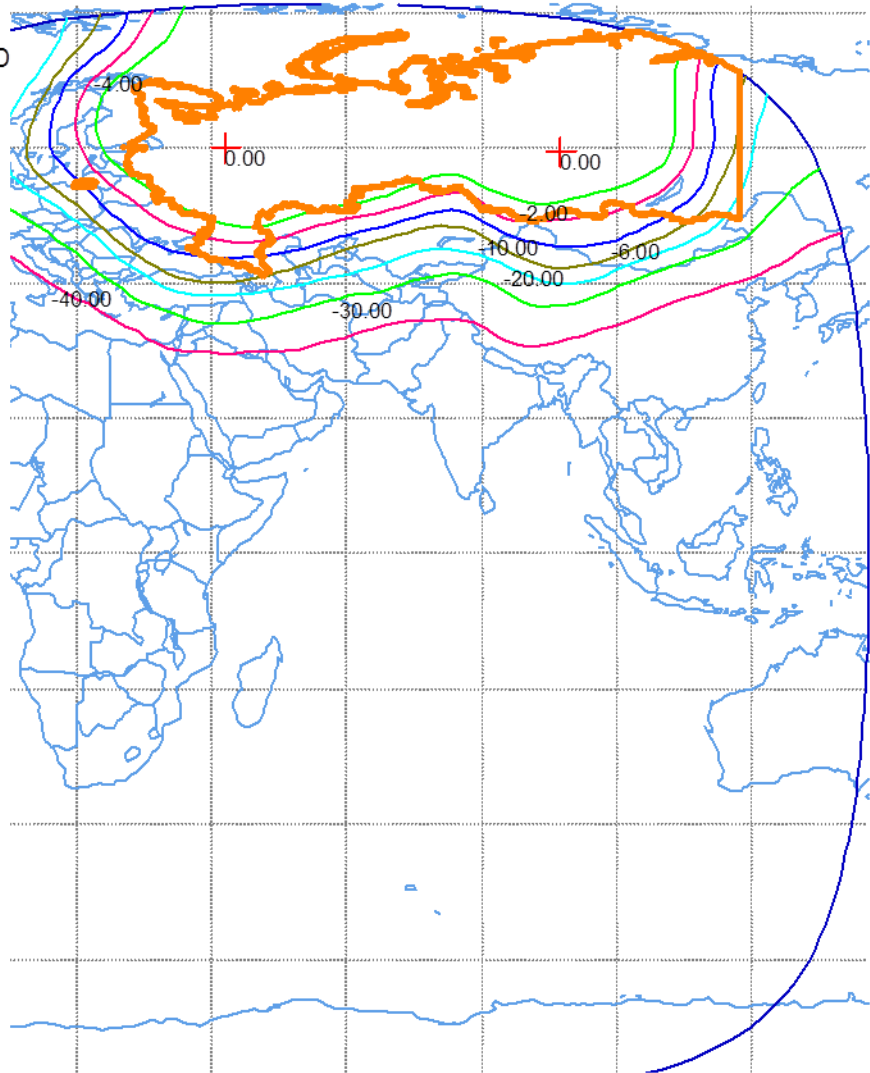


Figure A2: RST-2A downlink gain contours, peak EIRP of 55 dBW/33 MHz

Notice ID : 108552012
Administration : RUS
Satellite Network : RST-2A
Beam : RUD
Emission / Reception : E
Polarization : C
Service Area Number : 1
Service Area Name : RST-2A RUD
Reason : B
Satellite Position : 56.000



CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August, 2012, a copy of the foregoing

“Comments of New Skies Satellites B.V.” was served on the following party by first class mail:

/s/
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