



1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000

www.wileyrein.com

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Jennifer D. Hindin  
202.719.4975  
jhindin@wileyrein.com

**VIA ELECTRONIC FILING**

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Milestone and Bond Requirements for DIRECTV KU-45W, File  
Nos. SAT-LOA-20130205-00016 and SAT-AMD-20130716-00094,  
Call Sign S2893

Dear Ms. Dortch:

DIRECTV Enterprises, LLC (“DIRECTV”), by counsel, hereby notifies the Federal Communications Commission (“FCC” or “Commission”) that DIRECTV intends to replace its current milestone schedule and bond obligation with a single, final milestone and escalating bond requirement for the DIRECTV KU-45W license (call sign S2893) consistent with recently adopted, but not yet effective, changes to Sections 25.164 and 25.165 of the FCC’s rules.<sup>1</sup> To the extent necessary, DIRECTV seeks waiver of the requirement to comply with existing, interim milestone requirements.

On March 4, 2015, DIRECTV received FCC authorization to construct, launch, and operate DIRECTV KU-45W, a geostationary orbit Ku-band satellite.<sup>2</sup> Pursuant to the terms of this authorization, DIRECTV is to submit a copy of its construction contract demonstrating compliance with the first interim milestone on or before March 4, 2016.<sup>3</sup> By its Second Report and Order,<sup>4</sup> the Commission eliminated all interim milestones and adopted an escalating bond structure for geo-stationary satellite system authorizations.<sup>5</sup> DIRECTV’s current milestones will become obsolete as soon as the new Part 25 rules take effect and DIRECTV files the notice

<sup>1</sup> 47 C.F.R. §§ 25.164, 25.165.

<sup>2</sup> *Application for Authorization to Launch and Operate DIRECTV KU-45W*, Order and Authorization, 30 FCC Rcd. 1790, Call Sign S2893, IBFS File Nos. SAT-LOA-20130205-00016 and SAT-AMD-20130716-00094 (2015) (“DIRECTV KU-45W Authorization”).

<sup>3</sup> *DIRECTV KU-45W Authorization*, ¶ 23.

<sup>4</sup> *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Second Report and Order, FCC 15-167 (Dec. 17, 2015) (“Part 25 Second Report and Order”).

<sup>5</sup> *Id.* ¶ 59.

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contemplated by the FCC's Second Report and Order to assume the new single, final milestone obligation and related escalating bond.<sup>6</sup>

Because DIRECTV will comply with the recently adopted, but not yet effective, new rules, it does not plan to file a construction contract on March 4, 2016. To the extent necessary, DIRECTV seeks waiver of this interim milestone requirement set forth in Section 25.164 and recently eliminated by the Commission. As explained by the FCC in a recent grant waiving another recently eliminated rule, "[t]he same public interest rationales for elimination of the rule justify a waiver of the rule in this instance."<sup>7</sup>

Please contact the undersigned with any questions.

Respectfully submitted,

/s/ Jennifer D. Hindin

Jennifer D. Hindin  
Counsel for DIRECTV Enterprises, LLC

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<sup>6</sup> The FCC contemplated that existing licensees with outstanding interim milestone requirements may wish to proceed under the new bond and milestone rules and instructed such licensees to submit a letter and new or modified bond to the agency. *Part 25 Second Report and Order*, ¶ 86.

<sup>7</sup> *Intelsat License LLC, Application for Authority to Launch and Operate Intelsat 33e, a Replacement Satellite With New Frequencies*, File No. SAT-LOA-20150327-00016 at ¶ 6 (Feb. 25, 2016). In the Second Report and Order, the FCC found that "eliminating the interim milestone requirements will significantly reduce administrative burdens on both licensees and the Commission associated with verifiably demonstrating, and evaluating, compliance with the milestones, saving considerable time and cost. . . Further, it will remove any need for submission of confidential contract or design materials to the Commission to prove that the milestones have been completed." *Part 25 Second Report and Order*, ¶ 59.