

Before the  
**Federal Communications Commission**  
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for  
Galaxy 3C (S2381)

File No. SAT-AMD- \_\_\_\_\_

**AMENDMENT TO APPLICATION OF INTELSAT LICENSE LLC  
TO MODIFY AUTHORIZATION FOR GALAXY 3C**

Intelsat License LLC (“Intelsat”), pursuant to Section 25.116 of the rules of the Federal Communications Commission (“Commission” or “FCC”),<sup>1</sup> hereby seeks to amend its application to modify the authorization for Galaxy 3C (Call Sign S2381), a C- and Ku-band satellite operating at 95.05° W.L.<sup>2</sup> Specifically, Intelsat is filing this amendment to request waiver of Sections 25.114(d)(14)(ii) and 25.283(c) of the Commission’s rules and, pursuant to FCC staff’s request, to provide a Schedule S.<sup>3</sup> All other information in the modification application remains unchanged and Intelsat incorporates by reference the information previously provided.

---

<sup>1</sup> 47 C.F.R. § 25.116.

<sup>2</sup> See Intelsat License LLC, Application to Modify Authorization for Galaxy 3C Satellite (S2381), File No. SAT-MOD-20170523-00077 (filed May 23, 2017).

<sup>3</sup> Intelsat previously sought waiver of § 25.114(a)(1) of the Commission’s rules, which requires submission of Schedule S. Intelsat’s provision of Schedule S as part of this amendment renders this waiver request moot. See *id.* at n. 5.

In accordance with the requirements of the Commission's rules,<sup>4</sup> this application has been filed electronically as an attachment to FCC Form 312. Consistent with Section 1.62 of the Commission's rules,<sup>5</sup> Intelsat will continue to operate the Galaxy 3C satellite pursuant to the terms and conditions of its expiring license until such time as the Commission makes a determination with respect to this request.

**I. WAIVER REQUEST**

Intelsat requests a waiver of Sections 25.114(d)(14)(ii) and 25.283(c) of the Commission's rules,<sup>6</sup> which require an applicant to demonstrate that all stored energy will be vented at the spacecraft's end of life.

Under Section 1.3 of the Commission's rules, the Commission has authority to waive its rules "for good cause shown."<sup>7</sup> Good cause exists if "special circumstances warrant a deviation from the general rule and such deviation will serve the public interest" better than adherence to the general rule.<sup>8</sup> In determining whether waiver is appropriate, the Commission should "take into account considerations of hardship, equity, or more effective implementation of overall policy."<sup>9</sup> As shown below, there is good cause to waive Sections 25.114(d)(14)(ii) and 25.283(c).

---

<sup>4</sup> 47 C.F.R. § 25.116(e).

<sup>5</sup> 47 C.F.R. § 1.62 (permitting continued operations by a licensee where there is a proper and timely pending application for renewal of the license).

<sup>6</sup> 47 C.F.R. §§ 25.114(d)(14)(ii) & 25.283(c).

<sup>7</sup> 47 C.F.R. § 1.3; *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

<sup>8</sup> *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C.Cir. 1990).

<sup>9</sup> *WAIT Radio*, 418 F.2d at 1159.

Galaxy 3C is a Boeing model 702 spacecraft that is not designed to vent all pressurized systems. Instead, the pressurant for the Galaxy 3C satellite that was used during orbit raising was permanently isolated from the propulsion system by firing a pyrotechnic valve at beginning of on-orbit life such that the residual gas (about 5%) cannot be vented at end of life.

Waiver is appropriate in this case because grant would not undermine the purpose of these rules, which is to reduce the risk of accidental explosion and post de-orbit debris. Intelsat will ensure that all active units on the Galaxy 3C satellite are turned off and that all propellant tanks are depleted. In addition, the satellite's manufacturer, Boeing, has designed the Galaxy 3C spacecraft so that risk of accidental explosion causing additional orbital debris is minimal. First, the risk of accidental explosions is minimized because the pressures will be very low at end of life of the satellite, especially after the spacecraft is powered down and the temperature in the tanks drops. Galaxy 3C has two helium tanks with a volume of 69.0 liters each. The estimated mass and pressure of residual helium in each tank will be 270.0 grams and 2372.93 kPa (344.16 psia) at 18.3° C, respectively, at end-of-life. This minimal amount of residual helium will not cause the pressure in the tanks to exceed burst pressure, even in a worst case end-of-life temperature scenario. Additionally, Boeing has designed the tanks so that they leak before they burst. If a leak were to occur, there would not be sufficient energy in the gas stream to structurally damage the spacecraft and generate debris. Moreover, a leak would not significantly perturb the satellite's orbit because the expulsion of the pressurant gas would cause the spacecraft to tumble and the change in the spacecraft's velocity (i.e., the thrust) would be randomly distributed, with the resulting impact on the satellite orbit's apogee and perigee being very small.

Grant of the waiver is also supported on hardship grounds. Galaxy 3C is an in-orbit spacecraft. As such, a design change cannot be accomplished at this time. Avoiding such hardship is particularly appropriate where, as here, the licensee acted in good faith. Specifically, the Galaxy 3C satellite was licensed, launched, and operational prior to adoption of the rule. Finally, grant of waiver of Sections 25.283(c) and 25.114(d)(14)(ii) is consistent with waivers previously granted by the FCC.<sup>10</sup> For all of these reasons, grant of the requested waiver is warranted.

## II. CONCLUSION

For the reasons set forth above, Intelsat respectfully requests that the Commission grant this modification application.

Respectfully submitted,

Intelsat License LLC

By: /s/ Susan H. Crandall

Susan H. Crandall  
Associate General Counsel  
Intelsat Corporation

Jennifer D. Hindin  
WILEY REIN LLP  
1776 K Street, N.W.  
Washington, D.C. 20006  
June [ ], 2017

---

<sup>10</sup> See e.g. PanAmSat Licensee Corp. Application to Modify Authorization for Intelsat, File No. SAT-MOD-20090720-00073 (stamp grant Aug. 5, 2010).

## Exhibit A

### FCC Form 312, Response to Question 34: Foreign Ownership

The Commission previously approved foreign ownership in Intelsat License LLC (“Intelsat”), in the *Intelsat-Serafina Order*.<sup>1</sup> In December 2009 and October 2011, the Commission also approved *pro forma* changes in Intelsat’s foreign ownership.<sup>2</sup> There have been no other material changes to Intelsat’s foreign ownership since the date of the *Intelsat-Serafina Order*.

---

<sup>1</sup> *Intelsat Holdings, Ltd. and Serafina Holdings Limited, Consolidated Application for Consent to Transfer of Control of Holders of Title II and Title III Authorizations*, Memorandum Opinion and Order, 22 FCC Rcd 22,151 (2007).

<sup>2</sup> *See Intelsat North America LLC, Intelsat LLC, PanAmSat Licensee Corp., PanAmSat H-2 Licensee Corp., and Intelsat New Dawn Company, Ltd., Applications for Pro Forma Transfer of Control*, File Nos. SAT-T/C-20091125-00128, SAT-T/C-20091125-00124, SAT-T/C-20091125-00127, SAT-T/C-20091125-00125, SAT-T/C-20091125-00126, SES-T/C-20091125-01505, SES-T/C-20091125-01502, SES-T/C-20091125-01506, SES-T/C-20091125-01504 and SES-T/C-20091125-01503 (granted Dec. 3, 2009); *Intelsat Application for Pro Forma Transfer of Control*, File Nos. SAT-T/C-20110810-00160, SAT-T/C-20110811-00161, SES-T/C-20110811-00948, SES-T/C-20110812-00963 (granted Oct. 13, 2011), and 0004825139 (granted Oct. 19, 2011).

## Exhibit B

### FCC Form 312, Response to Question 36: Cancelled Authorizations

Intelsat License LLC (“Intelsat”) has never had an FCC license “revoked.” However, on June 26, 2000, the International Bureau “cancelled” two Ka-band satellite authorizations issued to a former Intelsat entity, PanAmSat Licensee Corp. (“PanAmSat”),<sup>1</sup> based on the Bureau’s finding that PanAmSat had not satisfied applicable construction milestones.<sup>2</sup> In that same order, the Bureau denied related applications to modify the cancelled authorizations. PanAmSat filed an application for review of the Bureau’s decision, which the Commission denied, and subsequently filed an appeal with the United States Court of Appeals for the District of Columbia Circuit, which was dismissed in January 2003 at PanAmSat’s request. Notwithstanding the fact that the Bureau’s action does not seem to be the kind of revocation action contemplated by question 36, Intelsat is herein making note of the decision in the interest of absolute candor and out of an abundance of caution. In any event, the Bureau’s action with respect to PanAmSat does not reflect on Intelsat’s basic qualifications, which are well-established and a matter of public record.

---

<sup>1</sup> All licenses previously held by PanAmSat Licensee Corp. have been assigned to Intelsat License LLC. See IBFS File Nos. SAT-ASG-20101203-00252 (granted Dec. 23, 2010), SES-ASG-20101203-0150 (granted Dec. 20, 2010), and SES-ASG-20101206-01502 (granted Dec. 20, 2010).

<sup>2</sup> See *PanAmSat Licensee Corp.*, Memorandum Opinion and Order, 15 FCC Rcd 18720 (IB 2000).

**Exhibit C**  
**FCC Form 312, Response to Question 40:**  
**Officers, Directors, and Ten Percent or Greater Shareholders**

The officers and directors/managers of Intelsat License LLC are as follows:

Officers:

Jacques Kerrest, Chairman  
Franz Russ, Deputy Chairman  
Michelle Bryan, Secretary  
Mirjana Hervy, Director, Finance

Board of Managers:

Jacques Kerrest  
Franz Russ  
Michelle Bryan

The business address of all Intelsat License LLC officers and members of the Board of Managers is:

4 rue Albert Borschette  
L-1246 Luxembourg

Intelsat License LLC is a Delaware limited liability company that is wholly owned by Intelsat License Holdings LLC, also a Delaware limited liability company. Intelsat License Holdings LLC is wholly owned by Intelsat Jackson Holdings S.A., a Luxembourg company. Intelsat Jackson Holdings S.A. is wholly owned by Intelsat (Luxembourg) S.A., a Luxembourg company. Intelsat (Luxembourg) S.A. is wholly owned by Intelsat Investments S.A., a Luxembourg company. Intelsat Investments S.A. is wholly owned by Intelsat Holdings S.A., a Luxembourg company. Intelsat Holdings S.A. is wholly owned by Intelsat Investment Holdings S.à r.l., a Luxembourg company. Intelsat Investment Holdings S.à r.l. is wholly owned by Intelsat S.A., a Luxembourg company. Each of these entities may be contacted at the following address: 4 rue Albert Borschette, L-1246 Luxembourg.

Intelsat S.A.'s ownership was approved by the Commission as part of the *Intelsat-Serafina Order* and the recent Intelsat Pro Forma and is incorporated by reference. *See Intelsat Holdings, Ltd. and Serafina Holdings Limited, Consolidated Application for Consent to Transfer of Control of Holders of Title II and Title III Authorizations*, Memorandum Opinion and Order, 22 FCC Rcd 22,151 (2007) ("*Intelsat-Serafina Order*"); *Intelsat Application for Pro Forma Transfer of Control*, File Nos. SAT-T/C-20110810-00160, SAT-T/C-20110811-00161, SES-T/C-20110811-00948, SES-T/C-20110812-00963 (granted Oct. 13, 2011), and 0004825139 (granted Oct. 19, 2011) ("*Intelsat Pro Forma*"). On May 16, 2012, the International Bureau granted an application to transfer control of Intelsat pursuant to a public offering of newly issued voting shares by Intelsat, subsequent voting share sales by current shareholders and possible private placements of newly issued voting shares. *In the Matter of Intelsat Global Holdings, S.A., Applications to Transfer Control of Intelsat Licenses and Authorizations from BC Partners Holdings Limited to Public Ownership*, Order, 27 FCC Rcd 5,226 (IB 2012).. This change of control has not yet been fully consummated.