

S2610 SAT-AMD-20171205-00165 IB2017003355
ES 172 LLC
Eutlesat 174A



File # SAT-AMD-20171205-00165
Call Sign S2610 Grant Date 02/14/18
(or other identifier)
Term Dates see conditions
From 02/14/18 To:
Approved: *Stephen J. Duall*
Stephen J. Duall
Chief, Satellite Policy Branch

** see also
SAT-MOD-20171122-00159

Approved by OMB
3060-0678

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File Number: SAT-AMD-20171205-00165

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

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FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
E174A Station-keeping Amendment


1-8. Legal Name of Applicant

Name:	ES 172 LLC	Phone Number:	656-808-2088
DBA Name:		Fax Number:	656-808-2089
Street:	8 Temasek Boulevard #15-02 Suntec Tower 3	E-Mail:	kloke@eutelsat.com
City:	Singapore 038988	State:	DC
Country:	USA	Zipcode:	20037 -
Attention:	Mr Ken Loke		

ATTACHMENT TO GRANT

ES 172 LLC.

IBFS File No. SAT-MOD-20171122-00159 and SAT-AMD-20171205-00165

IBFS File No(s):	SAT-MOD-20171122-00159 SAT-AMD-20171205-00165	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	ES 172 LLC (Eutelsat)	
Call Sign:	S2610	
Satellite Name:	EUTELSAT 174A (formerly EUTELSAT 172A/AMC-23)	
Orbital Location: (required station-keeping tolerance)	174.0° E.L. (+/- 0.1 degrees east-west stationkeeping)	
Administration:	United States of America ¹	
Nature of Service:	Fixed-Satellite Service (FSS)	
Scope of Grant:	<p>Authority for EUTELSAT 174A to provide FSS at the 174° E.L. orbital location and to conduct telemetry, tracking, and command (TT&C) operations in connection with maintaining EUTELSAT 174A at the 174° E.L. orbital location..</p>	
Previous Grant(s):	<p>Special temporary authority for a period of 60 days to operate EUTELSAT 172A from the 174.0° E.L. orbital location with a +/- 0.1 degree station keeping tolerance. IBFS File No. SAT-STA-20171205-00166.</p> <p>Assignment of license for Call Sign S2610 from Eutelsat America Corp. to ES 172 LLC. IBFS File No. SAT-ASG-20121227-00226.</p> <p>Assignment of license for Call Sign S2610 from GE International Holdings to Eutelsat America Corp. IBFS File No. SAT-ASG-20120626-00105.</p> <p>Assignment of license for Call Sign S2610 from SES Americom, Inc. to GE International Holdings. IBFS File No. SAT-ASG-20070214-00034</p> <p>Authority to launch and operate Americom-23 ("AMC-23") hybrid C/Ku-Band satellite (Call Sign S2610) at the 172° E.L. orbital location in the 3700-4200 MHz, 5925-6425 MHz, 10.95-11.2 GHz, 11.45-11.7 GHz, 12.2-12.75 GHz, and 14.-14.5 GHz frequency bands. IBFS File No. SAT-LOA-20031218-00358.</p>	
Service Area(s):	<p>Pacific Ocean Region (C-band) North Pacific, North-East Asia, Southwest Pacific, South Pacific, South-East Pacific (Ku-band)²</p>	
Frequencies:	<p>5925-6425 MHz (Earth-to-space) 14.0-14.5 GHz (Earth-to-space) 3700-4200 MHz (space-to-Earth) 10.95-11.20 GHz (space-to-Earth) 11.45-11.7 GHz (space-to-Earth) 12.2-12.75 GHz (space-to-Earth) - outside United States and its Territories and Possessions only</p>	

¹ Eutelsat states that EUTELSAT 174A will operate at the 174° E.L. orbital location pursuant to the satellite network filings made with the International Telecommunications Union by the government of Cyprus, KYPROS-ACHILLEAS and KYPROS-ACHILLEAS-3. See IBFS File No. SAT-MOD-20171122-00159, Application at 3-4.

² IBFS File No. SAT-MOD-20171122-00159, Narrative, Attachment C-Engineering Statement, Exhibit 4-Service Area.

ATTACHMENT TO GRANT

ES 172 LLC.

IBFS File No. SAT-MOD-20171122-00159 and SAT-AMD-20171205-00165

Telemetry, Tracking and Command:
Command: 5926.5 MHz
Telemetry: 3703.5 MHz, 4199.5 MHz

Unless otherwise specified herein, operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission's rules not waived herein. This grant is also subject to the following conditions:

1. In connection with the provision of service in any particular country, Eutelsat is obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that country.
2. Eutelsat must operate Eutelsat 174A at the 174° E.L. orbital location in compliance with all existing or future coordination agreements for this location.
3. The U.S. Administration will not object to use of the Eutelsat 174A space station by the Administration of Cyprus for bringing into use or continuing use of orbital assignments in the 3700-4200 MHz, 5925-6425 MHz, 10.95-11.20 GHz, 11.45-11.7 GHz, 12.2-12.75 GHz, and 14.0-14.5 GHz frequency bands at the 174° E.L. orbital location contained in the filings KYPROS-ACHILLEAS and KYPROS-ACHILLEAS-3.
4. Eutelsat's request for a waiver of section 25.210(j) of the Commission's rules, 47 CFR § 25.210(j), to allow EUTELSAT 174A operate with a station-keeping tolerance of $\pm .10^\circ$ IS GRANTED. Section 25.210(j) states that space stations "must be maintained within 0.05 degrees of their assigned orbital longitude in the east/west direction, unless specifically authorized by the Commission to operate with a different longitudinal tolerance." Eutelsat states that the only satellite two degrees away is EUTELSAT 172B, and the next closest satellites are 5° and 6° away. EUTELSAT states that grant of this waiver request will conserve fuel and extend the on-orbit life of the satellite. This waiver and the operations it permits shall terminate in the event that a satellite is launched into a location such that its station-keeping volume would overlap the EUTELSAT 174A satellite's $\pm .10^\circ$ degree station-keeping volume, but would not overlap EUTELSAT 174A's $\pm 0.05^\circ$ station-keeping volume, unless Eutelsat has successfully coordinated its physical operations with those of the other spacecraft. This waiver is limited to this spacecraft, does not extend any other spacecraft, and it is limited to operations at the 174° E.L. orbital location.
5. Pursuant to footnotes US211 and US342 of the United States Table of Frequency Allocations, 47 CFR § 2.106, services operating in the 10.7-11.7 GHz and 14.47-14.5 GHz frequency bands shall take all practicable steps to protect the radio astronomy service from harmful interference.
6. Eutelsat may not provide downlink services into the United States and its Territories and Possessions in the 12.2-12.75 GHz frequency band.
7. Grant of this application does not change the expiration date of the authorization for the EUTELSAT 174A space station (Call Sign S2610), which is February 15, 2021.

Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.


This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.

Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).

ATTACHMENT TO GRANT

ES 172 LLC.

IBFS File No. SAT-MOD-20171122-00159 and SAT-AMD-20171205-00165

Action Date:	February 14, 2018	
Term Dates	From: February 14, 2018	To: see conditions
Approved:  Stephen J. Duall Chief, Satellite Policy Branch		

9-16. Name of Contact Representative

Name:	Carlos M Nalda	Phone Number:	5713325626
Company:	LMI Advisors	Fax Number:	
Street:	2550 M Street, NW Suite 345	E-Mail:	cnalda@lmiadvisors.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20037-
Attention:		Relationship:	Other

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

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

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?

☐ Yes ☐ No ☒ N/A

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.

BASIC QUALIFICATIONS

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.

☒ Yes ☐ No

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.

☐ Yes ☒ No

<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>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<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>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<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>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<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>	

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.

☒ Yes ☐ No

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.

☐ Yes ☒ No

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?

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.)

Amendment to File No. SAT-MOD-20171122-00159 to specify a 0.10 degree station-keeping tolerance.

E174A Amendment

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
Ken Loke

→

46. Title of Person Signing
President

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(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
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