

APPLICATION FOR ASSIGNMENT OF SKY-MEXICO 1

Novavision Group, Inc. (“Novavision Group”) and DIRECTV Enterprises, LLC (“DIRECTV” and, together with Novavision Group, the “Applicants”) request Commission consent to assign the SKY-Mexico 1 satellite license (Call Sign S2861) from DIRECTV to Novavision Group. The SKY-Mexico 1 satellite currently operates in the Ku (11.7-12.2 GHz and 14.0-14.5 GHz) and 17/24 GHz (17.3-17.8 GHz, and 24.75-25.25 GHz) frequency bands at 78.8° W.L.

As demonstrated below, Novavision Group is legally and technically qualified to hold the SKY-Mexico 1 satellite license. Moreover, grant of this assignment application will serve the public interest without any countervailing harms. In accordance with the Commission’s requirements,¹ this application has been filed electronically as an attachment to FCC Form 312, Main Form and Schedule A.

Response to Question A20: Ownership Information

Description of Assignor. DIRECTV, a Delaware corporation owned by AT&T, Inc., is a provider of Direct-to-Home (“DTH”) satellite digital television services. DIRECTV currently has twelve in-orbit spacecraft operating in the Ku BSS, Ka FSS, and 17/24 GHz BSS bands. Since initiating service in 1994, DIRECTV has become the leading provider of DTH digital television services in the United States, serving over 20 million subscribers. Its affiliate, DIRECTV Latin America (“DTVLA”), is the leading provider of DTH digital television services throughout Latin America, serving more than 19 million subscribers in over 10 countries using Ku-band satellites. This number includes approximately 6.6 million subscribers served by

¹ 47 C.F.R. §25.119(c).

DTVLA’s affiliate Innova, S. de R.L. de C.V. (“Innova”), commonly known as Sky Mexico, which is the parent company of assignee Novavision Group as detailed below.

Description of Assignee. Novavision Group is a California corporation whose headquarters are located in Miami-Dade County, Florida. Novavision Group is 100% owned by Corporacion Novavision, S. de R.L. de C.V., a wholly owned Mexican subsidiary of Innova, a company organized under the laws of the United Mexican States with headquarters in Mexico City, Mexico D.F. In turn, Innova is owned approximately 58 percent by Grupo Televisa, S.A.B. (“Grupo Televisa,” also a company organized under the laws of the United Mexican States with headquarters in Mexico City) and approximately 42 percent by DIRECTV. Grupo Televisa is a publicly traded company with widely held stock. The following individual beneficially owned 10 percent or more of Grupo Televisa’s voting stock as of December 18, 2015:

Beneficial Owner	Citizenship	Voting Percentage
Emilio Azcarraga Jean c/o Grupo Televisa SAB Avenida Vasco de Quiroga 2000 Colonia Santa Fe CP 01210 Mexico D.F.	Mexico	44%

No other stockholders are known to hold 10 percent or more of Grupo Televiso’s voting stock. A chart depicting the foregoing described ownership chain is included as Exhibit A to this application.

The following are the officers and directors of Novavision Group, all of whom can be reached c/o Novavision Group, Inc., 6355 N.W. 36th Street, Virginia Gardens, FL 33166.

Officers	
Alexandre Moreira Penna	CEO
Bruce Churchill	Vice President
Michel Boyancé Baldwin	Chief Financial Officer
Jorge Cervantes Trejo	Secretary
María Azucena Domínguez Cobián	Assistant Secretary

Directors of the Corporation	
Alexandre Moreira Penna Chairman	Jorge Lutteroth Echegoyen Nominee Director
Carlos Ferreiro Rivas Director	Armando Javier Martínez Benítez Nominee Director
Rafael Villasante Guzmán Director	María Azucena Domínguez Cobián Nominee Director
Joaquín Balcárcel Santa Cruz Director	Ricardo Ávila de la Torre Nominee Director
José Antonio Lara del Olmo Director	
Michel Boyancé Baldwin Director	
Bruce Churchill Director	Michael Hartman Nominee Director
Michael Dennis White Director	Keith Suchy Nominee Director
Larry Hunter Director	José Victor Torres Gómez Nominee Director
Jacopo Bracco Director	Jorge Cervantes Trejo Nominee Director

Response to Question A21: Description of Transaction and Public Interest Statement

This application seeks FCC approval for the assignment of the license for the SKY-Mexico 1 satellite (call sign S2861) from DIRECTV to its affiliate Novavision Group. Post-assignment, the SKY-Mexico 1 satellite will continue to operate in accordance with the United States ITU filings for the 78.8° W.L. orbital location. Pursuant to Section 310(d) of the

Communications Act, as amended, the Commission assesses an application to assign a license by weighing the public interest benefits against any public interest harms, and determining, on balance, whether the transfer serves “the public interest, convenience and necessity.”² The Commission also considers whether the proposed assignee is qualified to hold Commission licenses, and whether the proposed transaction complies with the Communications Act of 1934, as amended (the “Act”), other applicable statutes, and the Commission’s rules.³ Each of these criteria is met in this case.

DIRECTV’s assignment of the SKY-Mexico 1 satellite license to its affiliate Novavision Group will serve the public interest by placing the license in the hands of the company using the satellite capacity to provide consumers with competitive high-definition video programming. DIRECTV initially sought authority for the SKY-Mexico 1 satellite to augment the capabilities of DIRECTV’s affiliate, Sky Mexico, to provide competitive multichannel video programming distributor services to subscribers.⁴ The SKY-Mexico 1 satellite was launched in May 2015 and commenced operations in June 2015. Since then, Sky Mexico’s wholly owned subsidiary Novavision Group has utilized the spacecraft for the provision of DTH television services to consumers in Mexico and Central America. Grant of this transaction will provide synergies by putting the satellite license directly in the hand of the company—Novavision Group—that serves

² 47 U.S.C. § 310(d). Where the potential harms (if any) are small or limited, the potential benefits need be only of a similar scale. *See, e.g., TRW Inc.*, 17 FCC Rcd 24625, 24630 ¶ 15 (2002) (“[W]e find no public interest harms, and thus, the Applicants’ demonstration of potential benefits need not be as great.”).

³ *Constellation, LLC, Carlyle PanAmSat I, LLC, Carlyle PanAmSat II, LLC, PEP PAS, LLC, and PEOP PAS, LLC, Transferors, and Intelsat Holdings, Ltd., Transferee, Consolidated Application for Authority to Transfer Control of PanAmSat Licensee Corp. and PanAmSat H-2 Licensee Corp.*, 21 FCC Rcd 7368, 7378, 7381 ¶¶ 17, 22 (2006).

⁴ IBFS File No. SAT-MOD-20150428-00031, Narrative at 3 (Apr. 28, 2015).

customers with the satellite's capacity. This assignment to the U.S. subsidiary of a Mexican company will assure continuity of compliance with FCC regulations as well as provide comity of regulatory recognition to a company whose majority ownership is based in an important neighboring country and member of NAFTA.

In addition, this transaction will enable Novavision Group to continue providing HD programming to subscribers in Mexico and Central America and better compete against cable and teleco multichannel video services. Novavision Group will use the SKY-Mexico 1 satellite to combine unique and compelling content with technological innovation and industry-leading customer service to the benefit of consumers in Latin America. Use of SKY-Mexico 1 will also support the ongoing transition to HD services in Mexico. Transmitting programming in HD format requires significantly more capacity than transmitting the same programming in SD format. SKY-Mexico 1's combined Ku-band and 17/24 GHz BSS capacity will support this transition and result in an increase in the amount of HD programming available to subscribers.⁵

Moreover, due to the numerous competitive alternatives for all types of satellite services in the market today, the proposed transaction affords these significant public interest benefits without raising any competitive concerns. For these reasons, Novavision Group and DIRECTV request that the Commission grant this application as expeditiously as possible.

Response to Question 34: Alien Ownership

Section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), establishes certain limitations on indirect foreign ownership and voting of certain common carrier and broadcast licensees. By definition, these limitations do not apply to the non-

⁵ See *id.*

broadcast, non-common carrier operations of the SKY-Mexico 1 satellite license at issue in this application.

Treatment of Pending Applications

Prior to grant of this application or consummation of the proposed assignment, the Applicants may file additional applications related to this authorization. The Applicants therefore request that, consistent with Commission precedent, the grant of this application include authority for assignment of all applications pending at the time of consummation of the proposed assignment. Applicants will supplement, as necessary, any filed applications that are pending upon the consummation of the proposed assignment.

EXHIBIT A

