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October 29, 2004

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Policy Branch
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BY HAND DELIVERY:

Mr. Thomas S. Tycz
Chief, Satellite Division
International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20045

Re: Lockheed Martin Corporation, Application for Authority to Launch and Operate Geostationary Satellites in the Radionavigation-Satellite Service at the 79° W.L., 71° E.L., and 131.8° E.L. Orbital Locations (File Nos. SAT-LOA-19990427-00045, -00049, and 00050; SAT-AMD-20030730-00149, -00152, and -00153; SAT-AMD-20040721-00144, -00145, -00146)

Dear Mr. Tycz:

This letter is submitted on behalf of Lockheed Martin Corporation ("Lockheed Martin"), the applicant in the above-reference proceedings for authority to establish satellites that would operate in the Radionavigation-Satellite Service ("RNSS") from the 79° W.L., 71° E.L. and 131.8° E.L. orbital locations. In this letter, Lockheed Martin, by its attorneys, responds to the Satellite Division's October 8, 2004 letter requesting additional information on Lockheed Martin's plans for the performance of tracking, telemetry and command ("TT&C") functions for the three spacecraft. See Letter dated October 8, 2004, from Thomas S. Tycz, Chief, Satellite Division, to Jennifer Warren, Senior Director, Trade and Regulatory Affairs, Lockheed Martin Corp., at 1-2 ("*October 8 Letter*").

The Satellite Division's *October 8 Letter* asks Lockheed Martin to provide:

1. Information regarding facilities by which Lockheed Martin will execute control operations for its proposed Asia/Pacific region satellites (i.e., the satellites at 71° E.L. and 131.8° E.L.), including, for example, "information regarding the locations of the primary and back-up TT&C stations [at] which TT&C functions will be carried out for its proposed satellites, including whether these TT&C stations will be located on United States territory in the Asia/Pacific region." *October 8 Letter* at 1.



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2. A description of the procedure Lockheed Martin would execute at Asia/Pacific region TT&C stations located outside U.S. territory "in the event that Lockheed [Martin] was required to shut down its RNSS satellites at the 71° E.L. and 131.8° E.L. orbital locations[.]" including an explanation of whether "Lockheed Martin will retain the ability, through actions initiated using its United States facilities, and without any third-party intervention, to cease operations of its proposed satellites." *Id.* at 2.

3. Information regarding the locations of the primary and back-up TT&C stations located in the United States for its proposed satellite at 79° W.L." *Id.*

In its above-referenced applications, Lockheed Martin proposes to establish dedicated satellites at the three orbital locations that are the subject of the *October 8 Letter*. In the case of the U.S.-visible satellite at 79° W.L., the expectation stated in the original application – i.e., that there will be a primary and a back-up TT&C station located in the U.S. to control and monitor the satellite – is current. In other words, it is likely – but not assured – that Lockheed Martin would co-locate both the primary and back-up TT&C facilities for this satellite with the ground uplink stations through which it will communicate with the two RNSS satellites (at 107.3° W.L. and 133° W.L.) that are in the latter stages of construction now and slated for launch in 2005. *See* Lockheed Martin Corporation Applications, File Nos. SAT-AMD-20040203-00011 and SAT-AMD-20040205-00012, *et seq.* For the Asia/Pacific region spacecraft, the expectation stated in the original application – i.e., that there will be a primary and a back-up TT&C station located in the Asia/Pacific region to control and monitor the satellite – also remains current.

Lockheed Martin urges the Commission to recognize that because the applications for the three subject spacecraft remain at the "pending" stage with implementation plans that have yet to be finalized, Lockheed Martin is not yet able to provide more specific information regarding the locations of the primary and back-up TT&C stations that will be used to transmit and receive TT&C signals from the three satellites in question. In each case, the answer to this question will necessarily depend on such factors as the identity of the anchor tenant/customer for the respective satellites and the service objectives and performance requirements those customers and other significant users of the future spacecraft convey to Lockheed Martin. Lockheed Martin does not presently have any authorizations, applications for authorizations, or agreements for ground station facilities – either in the U.S. (including U.S. Possessions) or elsewhere – in connection with the contemplated TT&C functions for the three subject spacecraft. Lockheed Martin also continues to explore, with respect to each of the three proposed satellite networks, the possibility that its proposed RNSS payload could be hosted on a satellite that is being developed for operation in another satellite service by a putative U.S.-licensed or non-U.S.-licensed operator. In short, the three pending applications for Lockheed Martin RNSS satellites at 71° E.L., 131.8° E.L., and 79° W.L. are thus at a very different stage of implementation than are the two "fast-tracked" applications for RNSS satellites at 107.3° W.L. and 133° W.L. that are under construction with anticipated launch in 2005.



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Through engagement with staff, Lockheed Martin fully understands that U.S.-licensed operators of satellites that either do not serve the United States (due to orbital location/coverage considerations) or that are comprised of a service-specific payload that is hosted on a spacecraft that is established and physically controlled by another administration must possess the ability, through actions initiated using U.S. facilities and without any third-party intervention, to cease operation of the satellite or payload. To the extent that Lockheed Martin ultimately may seek to locate the respective primary and/or back-up TT&C stations for any of the three RNSS satellites that are the subject of the *October 8 Letter* outside of the United States or its Possessions, Lockheed Martin emphasizes that it will always possess the direct and unilateral ability to turn off the satellites' TT&C and RNSS payloads from a location in the United States, and that it will establish a mechanism by which it can exercise this direct and unilateral ability. Furthermore, if Lockheed Martin seeks in the future to pursue a hosted payload scenario similar to the approach it is pursuing for its RNSS network at the 107.3° W.L. orbital location for one or more of these RNSS networks, it will establish a mechanism substantially similar to the one it recently established for that situation. Lockheed Martin will apprise the Commission of relevant developments in its plans for TT&C facilities for the RNSS satellites at 71° E.L., 131.8° E.L., and 79° W.L. as they occur.

Lockheed Martin trusts that its above-expressed intentions regarding the prospect of the use of extra-U.S. TT&C facilities for control of RNSS satellites in the Asia/Pacific region are sufficient at this early stage of the satellite implementation process. Should the Satellite Division have any further questions or require any additional information on this matter, please do not hesitate to contact the undersigned.

Respectfully submitted,

Stephen D. Baruch

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cc: Ms. Andrea Kelly
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