

S2592 SAT-PPL-20050427-00092 IB200500090  
Intelsat North America LLC  
Intelsat Americas 13

S2592 SAT-PPL-20040318-00038 IB200400062  
Intelsat North America LLC  
TELSTAR 13

International Bureau Received  
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INTELSAT

July 21, 2006

Policy Branch  
International Bureau

JUL 21 2006  
Federal Communications Commission  
Office of Secretary

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Notification of Change in Regulatory Classification for Intelsat Americas-13,  
Call Sign S2592**

Dear Ms. Dortch:

Intelsat North America LLC ("Intelsat") hereby notifies the Commission that it intends to change the regulatory classification of its Permitted Space Station List ("Permitted List") authorization for Intelsat Americas-13 ("IA-13") to provide fixed-satellite service from "dual-use" (common carrier/non-common carrier) to non-common carrier, effective immediately. This notification is filed pursuant to the streamlined process for changing the regulatory classification of FSS licenses adopted by the Commission in the *DISCO I Order*:

[L]icensees wishing to change their regulatory classification should notify us in writing of such change, including the date on which they intend to do so. No prior approval from the Commission will be necessary. Commission staff will include the notification of a change in status as an informational listing in the Satellite and Radiocommunication Division's weekly Public Notice of actions taken. The staff will also place a copy of the notification in the station file.<sup>1</sup>

As the Commission anticipated when it adopted this notification procedure, Intelsat has based its election of non-common carrier status "on the realities of the service

<sup>1</sup> *Amendment to the Commission's Regulatory Policies Governing Domestic Fixed Satellites and Separate International Satellite Systems*, Report and Order, 11 FCC Rcd 2429, 2436 (¶ 50) (1996) ("*DISCO I Order*").

provided consistent with the factors set forth in *NARUC I*.<sup>2</sup> When Intelsat notified the Commission of the change in ownership of Permitted List Satellite IA-13 (then named Telstar 13),<sup>3</sup> Intelsat asked the Commission to authorize IA-13 for both common carrier and non-common carrier operations.<sup>4</sup> To date, however, Intelsat has not operated the satellite on a common carrier basis. As such, the change in regulatory status will not result in the discontinuance of service to existing customers. Intelsat does not anticipate any future business need to provide space segment services on a common carrier basis. In addition, this action is consistent with Intelsat's prior notification to the Commission of the change in regulatory classification to non-common carrier of its U.S.-licensed satellites.<sup>5</sup>

Accordingly, Intelsat respectfully requests that the International Bureau include notification of the change in status of the IA-13 Permitted List authorization as an informational listing in the Satellite and Radiocommunication Division's weekly Public Notice of actions taken and place a copy of this notification in the relevant files, consistent with the procedure set forth by the Commission in the *DISCO I Order*.<sup>6</sup>

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<sup>2</sup> *Id.*, 11 FCC Rcd at 2436 (¶ 49). *NARUC I* requires the Commission to (1) analyze the likelihood that space station capacity in the services in question will be offered indifferently to the public; and (2) if there is no such likelihood, determine whether there are sufficient public policy reasons to place the licensee under a legal compulsion to serve the public indifferently. *Nat'l Ass'n of Regulatory Utility Commissioners v. FCC*, 525 F.2d 630, 642 (D.C. Cir. 1976) ("*NARUC I*").

<sup>3</sup> *Loral SpaceCom Corp., Petition for Declaratory Ruling to Add Telstar 13 to the Permitted Space Station List*, Order 18 FCC Rcd. 16374 (2003).

<sup>4</sup> See Exhibit C to IB File No. SAT-PPL-20040318-00038.

<sup>5</sup> See Letter from Susan H. Crandall, Assistant General Counsel, Intelsat Global Service Corporation, to Marlene H. Dortch, Secretary, Federal Communications Commission (June 8, 2005) (notifying Commission of change in regulatory classification for 27 Intelsat North America fixed satellite service space station licenses from "dual-use" (common carrier/non-common carrier) to non-common carrier).

<sup>6</sup> The Commission followed this procedure when SES Americom, Inc. elected non-common carrier status for certain of its satellites in 2003. See *SES Americom, Inc., Applications for Modification of Fixed-Satellite Service Space Station Licenses and Columbia Communications Corp.; Applications for Modification of Fixed-Satellite Service Space Station Licenses*, Order and Authorization, 18 FCC Rcd 16,589 (¶ 7) (2003) ("*SES/Columbia Order*"), Erratum, (Aug. 21, 2003) ("the Applicants ... have notified us of a change in the regulatory classification from common carrier to non-common carrier for the AMC-1, GSTAR 4, and Satcom SN-4 satellite licenses"); *SES/Columbia Order*, 18 FCC Rcd at 16,592-93 (¶ 6) ("we note the status change from common carrier to non-common carrier for SES AMERICOM's license for AMC-1, GSTAR 4, and Satcom C-4 and will include notification of this change in the Satellite Division's weekly Public Notice of actions taken and update our database to reflect this change").

Respectfully submitted,



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cc: Robert Nelson  
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