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FILED ELECTRONICALLY

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

**Re: Informal Comments of SES Satellites (Gibraltar) Ltd
On DIRECTV Enterprises, LLC, File No. SAT-LOA-20130205-00016**

Dear Ms. Dortch:

SES Satellites (Gibraltar) Limited ("SES Gibraltar"), by its attorney, hereby submits its informal objection to the above-referenced application of DIRECTV Enterprises, LLC ("DIRECTV") to operate a geostationary Ku-band space station at 45.2° W.L. in the fixed satellite service ("FSS").¹

DIRECTV did not provide an interference analysis in its application to demonstrate the compatibility of its proposed system with the NSS-703 satellite at 47.05° W.L., as required by 47 C.F.R. § 25.140(b)(2). DIRECTV's application considers the compatibility of its proposed system with Intelsat 14 at 45° W.L. and two other Intelsat satellites at 43° W.L. (Intelsat 11 and Intelsat 9);² but it does not mention or provide any showing for the NSS-703 satellite operating less than 2 degrees away. The NSS-703 satellite has been authorized to provide service to the U.S. using the conventional Ku-band and other frequencies since at least October 2011.³

In 2004, the International Bureau (the "Bureau") issued guidance to explain that "the interference analysis required by Section 25.140(b)(2) must demonstrate the proposed satellite's two degree compatibility with currently authorized stations."⁴ The Bureau also stated

¹ See 47 C.F.R. § 25.154(b) (informal objections). Intelsat License LLC has filed a Petition to Deny DIRECTV's application. See Petition to Deny of Intelsat License LLC, File No. SAT-LOA-20130205-00016 (filed May 6, 2013).

² See Application Narrative, File No. SAT-LOA-20130205-00016, at 12-18.

³ See SES Satellites (Gibraltar) Ltd., File No. SAT-PPL-20101103-00230 (granted Oct. 13, 2011).

⁴ See Public Notice, Report No. SPB-207, *Clarification of 47 C.F.R. § 25.140(b)(2)*, DA 04-1708, at 2 (rel. Jun. 16, 2004)

that any geostationary FSS space station application filed after June 16, 2004, that does not contain the requisite interference analysis “will be dismissed as defective.”⁵

Accordingly, DIRECTV’s application should be dismissed as defective, without prejudice to re-filing.⁶ At a minimum, the Bureau should require DIRECTV to amend its application to provide the missing interference analysis.⁷ Any such amendment should then be placed on 30-day public notice to ensure interested parties have a reasonable opportunity to review and comment on the analysis.

Respectfully submitted,

/s/ Karis A. Hastings

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cc: Stephen Duall, Satellite Division, International Bureau
William M. Wiltshire, Counsel for DIRECTV Enterprises, LLC
Jennifer D. Hindin, Counsel for Intelsat License LLC

⁵ *Id.*

⁶ See, e.g., Letter from Robert G. Nelson, Chief, Satellite Division to Carlos M. Nalda, Counsel to Satelites Mexicanos, S.A., File No. SAT-PPL-20120727-00122 (Aug. 17, 2012) (dismissing Satmex-8 application for failure to provide two-degree interference analysis); Letter from Robert G. Nelson, Chief, Satellite Division to Joslyn Read, Vice President, Regulatory Affairs, File No. SAT-MOD-20100421-00081 (Jun. 21, 2010) (dismissing AMC-4 application for failure to provide two-degree interference analysis for the satellite’s C-band TT&C carriers).

⁷ See, e.g., Letter from Robert G. Nelson, Chief, Satellite Division to Susan H. Crandall, Assistant General Counsel, File No. SAT-LOA-20100726-00167 (Dec. 17, 2010) (requesting applicant to supplement incomplete two-degree interference analysis).