

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application of Intelsat License LLC to
Launch and Operate Intelsat 33e, a
Replacement Satellite with New
Frequencies, at 60.0° E.L.

File No. SAT-LOA-20150327-00016

Call Sign: S2939

RESPONSE OF INTELSAT LICENSE LLC

Intelsat License LLC (“Intelsat”) responds to the Comments of Iridium Satellite LLC (“Iridium”) and the Comments of ABS Global, Ltd. (“ABS”) regarding the above-referenced application for authority to launch and operate the Intelsat 33e satellite (call sign S2939) a replacement satellite with new frequencies, at 60.0° E.L. The Intelsat 33e satellite is replacing the Intelsat 904 satellite (call sign S2408) at the 60.0° E.L. orbital location, and will allow Intelsat to greatly expand its service offering in the region, for the benefit of consumers.¹

Iridium filed comments to confirm that Intelsat would coordinate its use of the 29.1-29.3 GHz and 19.4-19.6 GHz bands with Iridium, which operates feeder links in those bands.² Iridium does not object to grant of the Intelsat 33e application. Intelsat fully understands its responsibilities with respect to Iridium’s operations, and understands that grant of the Intelsat

¹ Application of Intelsat License LLC to Launch and Operate Intelsat 33e, a Replacement Satellite with New Frequencies, at 60.0° E.L.; File No. SAT-LOA-20150327-00016 at 9-10 (filed Mar. 27, 2015) (“Intelsat 33e Application”).

² Comments of Iridium Satellite LLC, File No. SAT-LOA-20150327-00016 (filed Jun. 8, 2015) (“Iridium Comments”).

33e Application will include the Commission's standard condition requiring operation consistent with coordination agreements. Intelsat has reached out to Iridium for purposes of commencing coordination discussions and will work to resolve any interference concerns. Intelsat will operate on a non-interference basis with respect to Iridium until coordination is achieved.

ABS again seeks to delay grant of the Intelsat 33e Application³ to gain leverage in coordination negotiations. Similar to other FCC licensing proceedings,⁴ ABS urges the FCC to impose a condition that would require coordination with ABS prior to operation of the Intelsat 33e satellite. ABS repeats its previous argument that Intelsat did not properly consider the ABS-4 satellite at 61.0° E.L. as part of its interference analysis.⁵ As previously explained,⁶ the Commission's precedent on this issue is clear: Intelsat is not required to include ABS-4 in its two-degree analysis for the Intelsat 33e Application because the ABS-4 satellite operates under the jurisdiction of Papua New Guinea⁷ and has not been granted U.S. market access. As the FCC has explicitly stated, coordination issues between U.S. satellites and non-U.S. satellites without U.S. market access must be resolved through the ITU's coordination process, not the FCC's licensing process. Specifically, "any potential interference arising from operations of space stations licensed by different Administrations that are not within the scope of a grant of access to

³ Comments of ABS Global, Ltd., File No. SAT-LOA-20150327-00016 (filed Jun. 5, 2015) ("ABS Comments").

⁴ See Intelsat License LLC, Supplemental Response to the Petition to Deny or Defer of ABS Global, Ltd., File No. SAT-MOD-20140829-00097 (filed Dec. 19, 2014).

⁵ Letter from Arlene H. Kahng, General Counsel, ABS Global, Ltd., to Ms. Marlene H. Dortch, FCC, File No. SAT-LOA-20150327-00016 (filed Apr. 15, 2015).

⁶ See Letter from Susan H. Crandall to Marlene H. Dortch, File No. SAT-LOA-20150327-00016 (filed May 11, 2015).

⁷ ABS Comments at 1.

the U.S. market are appropriately addressed through the satellite coordination procedures of the International Telecommunication Union (ITU) and need not be addressed in an applicant's two degree spacing interference analysis.”⁸ Intelsat is committed to resolving coordination issues with ABS. The FCC, however, should not allow its licensing process to be manipulated by ABS to influence the ITU's coordination process.

ABS confuses the coordination obligations at issue for the Intelsat 33e satellite. Of all of the bands cited by ABS, the only bands on the Intelsat 33e satellite that overlap with those on ABS-4 are: 1) the 13.75-13.85 GHz band; and 2) ABS-4's command channels 14.191 GHz and 14.192 GHz.⁹ First, in the 13.75-13.85 GHz band, Intelsat acknowledges that ABS has priority. Intelsat will operate on a non-interference basis until coordination is achieved. Second, Intelsat has priority in the 14.0-14.5 GHz band, so it is ABS that must protect Intelsat. Moreover, Intelsat currently operates in the 14.0-14.5 GHz band on the Intelsat 904 satellite, and ABS has not identified any interference concerns with respect to that Intelsat satellite. There is no overlap between the Intelsat 33e satellite and the ABS-4 satellite for any of the other frequency bands identified in the ABS filing,¹⁰ and thus, no risk of harmful interference. ABS should not be permitted to delay Intelsat's provision of additional services from the 60.0° E.L. orbital location by manipulating the Intelsat 33e licensing proceeding in an attempt to gain more favorable coordination conditions for future ABS satellites. As the relative ITU priorities between Intelsat

⁸ *DIRECTV Enterprises, LLC Application for Authorization to Launch and Operate DIRECTV KU-45W*, Order and Authorization, 30 FCC Rcd 1790, 1793 (¶ 9) (2015) (“DIRECTV KU-45 W Order”).

⁹ ABS Comments at 1.

¹⁰ ABS Comments at 2.

and ABS vary depending on the bands, Intelsat will coordinate its use of these frequencies with ABS in accordance with ITU rules.

Well-established precedent allows the FCC to issue a license to a U.S. operator that is conditioned upon coordinating in accordance with ITU rules.¹¹ Intelsat does not object to this standard condition. Intelsat understands its ITU obligations and will in good faith coordinate with other operators – including ABS – as required by the ITU’s rules. Intelsat urges the FCC to expeditiously grant the Intelsat 33e application to allow Intelsat to provide expanded services to customers.

Respectfully submitted,

Intelsat License LLC

By: /s/ Susan H. Crandall

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¹¹ See, e.g., *DIRECTV KU-45 W Order*, *supra* note 8 at 1795 (¶ 17); Intelsat License LLC, Application to Launch and Operate Intelsat 30 at 95.05° W.L., File Nos. SAT-LOA-20121025-00187 and SAT-AMD-20121221-00220, at ¶ 1 (stamp grant, corrected, Oct. 30, 2014).

Certificate of Service

I, Kim Riddick, hereby certify that on this 18th day of June 2015, a copy of the foregoing Reply of Intelsat License LLC is being sent via first class, U.S. Mail, postage paid, to the following:

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