

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Hughes Network Systems, LLC

Application for Authority to Operate  
Jupiter 2, a Ka-band Satellite in the Fixed  
Satellite Service, at 97.1° W.L.

File No. SAT-A/O-20160624-\_\_\_\_\_

Call Sign S2834

**APPLICATION FOR AUTHORITY TO OPERATE**

Hughes Network Systems, LLC (together with its affiliates, “Hughes”) requests authorization to operate Jupiter 2 (also known as EchoStar XIX or Jupiter 97W), a Ka-band fixed satellite service (“FSS”) satellite at 97.1° W.L. Grant of this application will benefit U.S. consumers and the public interest by providing for additional satellite capacity for new broadband service to the U.S. and abroad and creating new U.S. jobs.

**I. BACKGROUND**

Jupiter 2 currently is authorized by Papua New Guinea for launch and operation at 97.1° W.L., and is also authorized for U.S. market access.<sup>1</sup> The satellite is scheduled for launch during the period from December 1 through December 30, 2016, and will provide advanced broadband services to consumers in the United States and abroad.<sup>2</sup> Although Jupiter 2 is licensed by Papua

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<sup>1</sup> See Hughes, Petition for Declaratory Ruling, IBFS File No. SAT-PPL-20160421-00037 (granted June 9, 2016) (granting petition to add Jupiter 2 to the Permitted List) (“Jupiter 2 PDR”); Hughes, Application for Modification of Letter of Intent, IBFS File No. SAT-MOD-20141210-00127 (granted June 23, 2015) (“Jupiter 2 LOI Modification”) (granting modified U.S. market access authorization for Jupiter 2”); see also Hughes, Letter of Intent, IBFS File No. SAT-LOI-20110809-00148 (granted July 27, 2012) (“Jupiter 2 LOI”) (granting initial U.S. market access authorization for Jupiter 2).

<sup>2</sup> Because the satellite is scheduled for launch in a few months, Hughes requests a waiver of the milestone and bond requirements under 47 C.F.R. §§ 25.164, 25.165, to the extent required.

New Guinea, Hughes by this application seeks to re-license the satellite as a U.S.-flagged satellite, along with a U.S. filing with the International Telecommunication Union for the satellite's assigned orbital location and frequencies.

## **II. HUGHES' LEGAL AND TECHNICAL QUALIFICATIONS**

Hughes is legally and technically qualified to operate the Jupiter 2 satellite for service to the United States. The accompanying Form 312 sets forth information establishing Hughes' legal qualifications, which also are a matter of record before the Commission by virtue of the number of FCC authorizations granted to Hughes, including U.S. market access authorizations for Jupiter 2.<sup>3</sup>

Further, Hughes' relevant technical qualifications are established in its previously approved Jupiter 2 LOI Modification application, specifically the application's accompanying Schedule S and Technical Annex, both of which remain unchanged and are incorporated by reference here. Additionally, both the Jupiter 2 Modification and Jupiter LOI applications contained requests for certain rule waivers, which the Commission granted, and those waiver requests are incorporated by reference here, to the extent required.<sup>4</sup>

## **III. GRANT OF U.S. OPERATING AUTHORITY WILL SERVE THE PUBLIC INTEREST AND IS CONSISTENT WITH FCC PRECEDENT**

Grant of this application is consistent with the Commission's prior approvals of U.S. market access for Jupiter 2 and serves the public interest for the same reasons stated in the underlying applications.<sup>5</sup> Notably, grant of this application serves the public interest by allowing Hughes to offer significant additional capacity to meet the broadband needs of business and

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<sup>3</sup> See *supra* n.1.

<sup>4</sup> See Jupiter 2 LOI Modification, Narrative, at 14-16; Jupiter 2 LOI, Narrative, at 14-16.

<sup>5</sup> See Jupiter 2 PDR, Narrative, at 3-4; Jupiter 2 LOI Modification, Narrative, at 7; Jupiter 2 LOI, Narrative, at 2-4.

residential consumers in North America for services such as high-definition video programming, on-demand entertainment, digital music, interactive television, videoconferencing, and high-capacity two-way communications. Commission grant also will allow Hughes to provide satellite broadband connectivity in new markets abroad and expand its footprint in the Americas. Additionally, the availability of additional space segment capacity will promote creation of new information and communications technology jobs in the United States.

Accordingly, Hughes urges expeditious Commission approval to allow prompt commencement of advanced broadband services to U.S. and non-U.S. consumers, upon successful launch and operation of the satellite at its assigned orbital location.

Respectfully submitted,

**HUGHES NETWORK SYSTEMS, LLC**

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