

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of

Intelsat License LLC

Application for Authority to Launch and Operate Intelsat 15R, a Replacement Satellite With New Frequencies, at 85.0° E.L.

File No.
SAT-LOA-20171027-00145

REPLY OF IRIDIUM SATELLITE LLC

On May 29, 2018, Iridium Satellite LLC (“Iridium”) filed comments on the above-referenced application of Intelsat License LLC (“Intelsat”) to launch and operate Intelsat 15R, a geostationary orbit (“GSO”) space station that would operate in the fixed-satellite service.¹ In its comments, Iridium asked the Commission to adopt its standard condition requiring Intelsat to comply with Sections 25.258 and 25.278 of the Commission’s rules in the non-geostationary satellite orbit mobile-satellite service feeder-link bands. Iridium also asked the Commission to hold the application in abeyance until Intelsat adequately explains the basis for including in its FCC application frequency bands that would be notified by another administration.

Intelsat does not object to the condition sought by Iridium.² Though Intelsat questions the need for the condition in light of the “substantial similarity” between the instant application and the previously granted application to launch and operate Galaxy 15R, Intelsat fails to recognize that the Commission adopted the same condition for Galaxy 15R that Iridium seeks here.³ The Commission therefore should follow its precedent and ensure that any grant includes

¹ See Comments of Iridium Satellite LLC, IBFS File No. SAT-LOA-20171027-00145 (filed May 29, 2018).

² See Response of Intelsat License LLC at 4-6, IBFS File No. SAT-LOA-20171027-00145 (filed June 13, 2018) (“Intelsat Response”).

³ See *Application for Authority to Launch and Operate Galaxy 15R, a Replacement Satellite With New Frequencies, at 133.0 W.L.*, Stamp Grant at 5, IBFS File No. SAT-LOA-20170524-00078 (May 10, 2018). See

the condition sought by Iridium.

Intelsat does oppose Iridium's request for more information, claiming that "applications where the operator sought to operate some frequencies pursuant to a non-U.S. ITU filing" are "routinely granted" by the Commission.⁴ This is simply incorrect. As Iridium explained in its comments, the Commission's two-step process for submitting ITU filings contemplates that a GSO space station operator will submit an FCC application that includes the "frequency bands . . . proposed in the Coordination Request" submitted by the Commission to the ITU, and not by another notifying administration.⁵ Perhaps unsurprisingly, out of the many space station authorizations granted by the Commission, Intelsat points to just one where the grant included frequencies notified by a foreign administration.⁶ If Intelsat believes that specific circumstances warrant another departure from the normal course, it should explain those circumstances in its application. That is all Iridium has asked.

Indeed, that sole FCC decision cited by Intelsat demonstrates the need for the information Iridium requested. When applying for an FCC license to launch and operate Intelsat 37e, Intelsat included several bands notified either by both the United States and the United Kingdom or by the United Kingdom exclusively.⁷ In the Intelsat 37e application, Intelsat at least attempted to explain its basis for doing so, and why its request would not raise concerns around abuse of the

also Application for Authority to Launch and Operate Intelsat 33e, a Replacement Satellite With New Frequencies, Stamp Grant at 3, IBFS File No. SAT-LOA-20150327-00016 (Feb. 25, 2016) (adopting a similar condition).

⁴ Intelsat Response at 4.

⁵ *See Comprehensive Review of Licensing & Operating Rules for Satellite Servs.*, Second Report and Order, 30 FCC Rcd. 14713, 14723 ¶ 23 (2015).

⁶ *See* Intelsat Response at 4 & n.11, citing *Application for Authority to Launch and Operate Intelsat 37e, a C/Ku/Ka-band Replacement Satellite*, Stamp Grant at Condition No. 5, File No. SAT-LOA-20160915-00089 (June 8, 2017).

⁷ *See* Engineering Statement at 9-10, SAT-LOA-20160915-00089 (Sept. 15, 2016).

international coordination process. Intelsat stated that it had included the frequencies to request that the United States “state its non-objection” to the use of Intelsat 37e to bring into use frequency assignments contained in the UK filings,⁸ citing an ITU circular letter explaining that although such arrangements create “opportunities for abusive practices,” they may serve legitimate fleet management purposes in some cases.⁹ Thus, although the Intelsat 37e application is no model of clarity, it fully supports the view that Intelsat should be required to explain why an FCC license for spectrum notified by Papua New Guinea would serve the public interest in this case.

CONCLUSION

The Commission should condition Intelsat’s license on compliance with 47 C.F.R. §§ 25.258 and 25.278 in the 19.4-19.6 GHz and 29.1-29.3 GHz bands, relief which Intelsat does not oppose. Moreover, the Commission should require Intelsat to justify the need for including those frequencies, which would be notified by Papua New Guinea and not the United States, in any grant of authority by the FCC.

Respectfully submitted,



Maureen C. McLaughlin
Vice President, Public Policy
IRIDIUM SATELLITE LLC
1750 Tysons Boulevard, Suite 1400
McLean, VA 22102
(703) 287-7518

Scott Blake Harris
V. Shiva Goel
HARRIS, WILTSHIRE & GRANNIS LLP
1919 M Street, NW, 8th Floor
Washington, DC 20036
(202) 730-1330
Counsel to Iridium Satellite LLC

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⁸ *Id.* at 10.

⁹ *See* ITU Circular Letter CR/333 at 3 (May 2, 2012), https://www.itu.int/dms_pub/itu-r/md/00/cr/cir/R00-CR-CIR-0333!!PDF-E.pdf.

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2018, a copy of the foregoing Reply of Iridium Satellite LLC was sent by first-class, United States mail to the following:

Susan H. Crandall
Intelsat License, LLC
7900 Tysons One Place
McLean, VA 22102

Jennifer D. Hindin
Sara M. Baxenberg
Wiley Rein LLP
1776 K Street, NW
Washington, DC 20006

Elizabeth Marley

Elizabeth Marley
Legal Assistant
Harris, Wiltshire & Grannis LLP
1919 M Street, NW, 8th Floor
Washington, DC 20036
(202) 730-1300