

S3023 SAT-LOA-20171205-00164 IB2017003354
Intelsat License LLC
Intelsat 39

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From see conditions Term Dates see conditions To: see conditions
Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

Approved by OMB
3060-0678

APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Application for Authority to Launch and Operate Intelsat 39, a Replacement Satellite With New Frequencies, at 62.0 E.L.

1-8. Legal Name of Applicant			
Name:	Intelsat License LLC	Phone Number:	703-559-7848
DBA Name:		Fax Number:	703-559-8539
Street:	c/o Intelsat Corporation 7900 Tysons One Place	E-Mail:	susan.crandall@intelsat.com
City:	McLean	State:	VA
Country:	USA	Zipcode:	22102 -5972
Attention:	Susan H. Crandall		

ATTACHMENT TO GRANT
Intelsat License LLC
IBFS File No. SAT-LOA-20171205-00164

IBFS File No(s):	SAT-LOA-20171205-00164	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	Intelsat License LLC	
Call Sign:	S3023	
Satellite Name:	Intelsat 39	
Orbital Location: (required station-keeping tolerance)	62.0° E.L. (+/- 0.05 degrees east/west)	
Administration:	United States of America Papua New Guinea (ITU) ¹	
Nature of Service:	Fixed-Satellite Service (FSS)	
Scope of Grant:	Authority to construct, deploy, and operate a C- and Ku-band replacement geostationary orbit (GSO) space station to provide FSS to service areas covered under Intelsat 39's beams in Regions 1 and 3.	
Previous Grant(s):	N/A	
Service Area(s):	C-band: Asia and parts of Australia, Africa and Europe, Europe, Mozambique, Myanmar, Southeast Asia, and Global (Regions 1 and 3 only). Ku-band: Democratic Republic of Congo, Europe, Middle East, East Indian Ocean Region, West Indian Ocean Region, and Steerable - Visible Land Area (Regions 1 and 3 only). <i>See</i> Schedule S Tech Report, pages 3 and 4 of Legal Narrative, and page 2 of Engineering Statement.	
Frequencies:	3625-4200 MHz (space-to-Earth) 5850-6425 MHz (Earth-to-space) 10.7-11.7 GHz (space-to-Earth) 12.25-12.75 GHz (space-to-Earth) 13.0-13.25 GHz (Earth-to-space) 13.75-14.5 GHz (Earth-to-space) Tracking, telemetry and command center frequencies: 3948.5 MHz, 3949 MHz, 3953 MHz, and 3953.5 MHz (space-to-Earth); 6174.7 MHz, and 6177.3 MHz (Earth-to-space), 6154.5 MHz -6195.5 MHz ²	
<ol style="list-style-type: none"> Unless otherwise specified herein, operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission's rules not waived herein. This grant is also subject to the following conditions: Intelsat must prepare the necessary information, as may be required, for submission to the International Telecommunication Union (ITU) to initiate and complete the advance publication, coordination, due diligence, and notification process of this space station, in accordance with the ITU Radio Regulations. Intelsat will be held responsible for all cost-recovery fees associated with ITU filings. No protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual administrations, coordination agreements are successfully completed. Any radio station authorization for 		

¹ Intelsat states that Intelsat 39 will operate in the 12.25-12.75 GHz and 13.75-14.0 GHz frequency bands under ITU network filing NEW DAWN 22 held by the Administration of Papua New Guinea. Also, Intelsat 39 will operate in the 10.7-10.95 GHz, 11.2-11.45 GHz, and 13.0-13.25 GHz frequency bands under ITU network filing NEW DAWN FSS-3 held by the Administration of Papua New Guinea.

² Intelsat 39 can be commanded through the use of two fixed command channels centered at the frequencies of 6174.7 MHz and 6177.3 MHz. Intelsat 39 is also equipped with a tunable command receiver with center frequency in the range 6154.5 MHz -6195.5 MHz, selectable via ground command in 100 kHz steps: Selectable center frequencies for tunable command receiver may be calculated as: Frequency (MHz) = 6155 + 0.1*n, where n is an integer from 0 to 400, inclusive. *See* Engineering Statement at 4 and Schedule S Tech Report.

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- which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments of other administrations. See 47 CFR § 25.111(b).
3. In connection with the provision of service in any particular country, Intelsat is obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that country.
 4. Intelsat must operate Intelsat 39 at the 62.0° E.L. orbital location in compliance with all existing or future coordination agreements for this location. In the absence of a coordination agreement, such operations must comply with applicable provisions of the ITU Radio Regulations as the Commission cannot guarantee the success of the required coordination.
 5. Intelsat must maintain the Intelsat 39 space station within an east/west longitudinal station-keeping tolerance of ± 0.05 degrees of the 62.0° E.L. orbital location.
 6. The operations of Intelsat 39 and associated earth stations must comport with the applicable uplink and downlink limits in 47 CFR § 25.140(a)(3) of the Commission's rules, unless Intelsat coordinates any non-conforming operations with the operations of U.S.-licensed geostationary orbit space stations within 6 degrees of the 62.0° E.L. orbital location. Non-conforming operation must also be coordinated with respect to those operations of non-U.S.-licensed space stations within 6 degrees of 62.0° E.L. involving approved communications with U.S.-licensed earth stations.
 7. The power flux-density (PFD) at the Earth's surface produced by the emissions from the Intelsat 39 space station, in the 3625-4200 MHz, 10.7-11.7 GHz, and 12.25-12.75 GHz frequency bands (space- to-Earth), must not exceed the applicable power flux-density limits contained in No. 21.16 in Article 21 of the ITU Radio Regulations.
 8. Intelsat 39's operations in the 5850-5875 MHz (Earth-to-space) are subject to footnote 5.150 to the United States Table of Frequency Allocations, 47 CFR § 2.106, 5.150, which states that services operating within this band must accept harmful interference which may be caused by industrial, scientific and medical (ISM) applications.
 9. Intelsat 39's operations in the 5925-6425 MHz and 14-14.5 GHz (Earth-to-space) are subject to No. 5.457A of the ITU Radio Regulations; which states that earth stations located on board vessels may communicate with space stations of the fixed-satellite service. Such use shall be in accordance with Resolution 902 (WRC-03).
 10. The U.S. Administration will not object to use of the Intelsat 39 space station by the Administration of Papua New Guinea for bringing into use or continuing use of orbital assignments in the 10.7-10.95 GHz, 11.2-11.45 GHz, and 13.0-13.25 GHz frequency bands at the 62.0° E.L. orbital location contained in the filing NEW DAWN FSS-3.
 11. The U.S. Administration will not object to use of the Intelsat 39 space station by the Administration of Papua New Guinea for bringing into use or continuing use of orbital assignments in the 12.25-12.75 GHz and 13.75-14.0 GHz frequency bands at the 62.0° E.L. orbital location contained in the filing NEW DAWN 22.
 12. Intelsat 39's operations in the 10.7-10.95 GHz (space-to-Earth), 11.2-11.45 GHz (space-to-Earth) and 13.0-13.25 GHz (Earth-to-space) must be in compliance with section 25.140(a)(3)(iv) of the Commission's rules, 47 CFR § 25.140(a)(3)(iv) and No. 5.441 of the ITU Radio Regulations, and shall be in accordance with the provisions of Appendix 30B.³

³ Intelsat submitted an Interference analysis and a complete satellite coordination agreement; *see* Letter from Jennifer D. Hindin, Counsel to Intelsat, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-LOA-20171205-00164 (filed February 15, 2018). This letter included a supplement to the application and a revised engineering statement.

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13. Operations in the 10.95-11.2 GHz and 11.45-11.7 GHz frequency bands are subject to footnote US211 to the United States Table of Frequency Allocations, 47 CFR § 2.106, US211, which urges applicants for airborne or space station assignments to take all practicable steps to protect radio astronomy observations in the adjacent bands from harmful interference. See also footnote US74.
14. Operations of any earth station located outside the United States and its possessions communicating with the Intelsat 39 space station in the 13.75-14.0 GHz (Earth-to-space) frequency band must be consistent with No. 5.502 of the ITU Radio Regulations, which specifies a mandatory minimum antenna diameter of 1.2 meters for earth stations of a geostationary satellite orbit network and specifies mandatory power limits.
15. Operations of any earth station located outside the United States and its possessions communicating with the Intelsat 39 space station in the 13.77-13.78 GHz (Earth-to-space) frequency band must comply with No. 5.503 of the ITU Radio Regulations, which specifies, *inter alia*, a required maximum e.i.r.p. density of emissions (limit is dependent on antenna diameter) for communications with a space station in geostationary-satellite orbit.
16. Operations of Intelsat 39 in the 14.47-14.5 GHz (Earth-to-space) frequency band is subject to the terms of footnotes US342 to the United States Table of Frequency Allocations, 47 CFR §2.106, US342 and No. 5.149 of the ITU Radio Regulations, which urge applicants to take all practicable steps to protect the radio astronomy service from harmful interference.
17. Out-of-band signals into allocated radio astronomy bands can cause interference to radio astronomy observations. We also note that radio astronomy as a service frequently makes use of observations (passive) in bands not allocated to the radio astronomy service, including 3625-4200 MHz and 12.25-12.75 GHz. This practice is a result of scientifically valuable signals being subject to the Doppler Effect and shifted in frequency outside radio astronomy-allocated bands. Uplink earth stations in close geographic proximity to radio astronomy sites may also be of concern. Although not a condition to this authorization, Intelsat should be aware of these facts and contact the National Science Foundation Spectrum Management Unit (esm@nsf.gov) to assist with coordination and information on radio astronomy sites.
18. Prior to commencing operations with the Intelsat 39 space station, Intelsat must file with the Commission the information required by section 25.172 of the Commission's rules, 47 CFR § 25.172.
19. Intelsat 39 must begin providing service at the 62.0° E.L. orbital location in the 3625-4200 MHz, 10.95-11.2 GHz, and 11.45-11.7 GHz (space-to-Earth) and 5850-6425 MHz and 14.0-14.5 GHz (Earth-to-space) frequency bands before the satellite it is replacing, Intelsat 902 (Call Sign S2406), discontinues service at the 62.0° E.L. orbital location. Failure to meet this condition will render this authorization to operate in these frequency bands NULL and VOID.
20. The 10.7-10.95 GHz, 11.2-11.45 GHz, 12.25-12.75 GHz, 13.0-13.25 GHz, and 13.75-14.0 GHz, frequencies are included on Intelsat 39 but are not on the Intelsat 902 satellite it is replacing. Authorization to operate in these frequency bands is subject to the following requirements:
 - a. Intelsat must post a surety bond in satisfaction of 47 CFR §§ 25.165(a)(2) & (b) no later than July 26, 2018, and thereafter maintain on file a surety bond requiring payment in the event of a default in an amount, at minimum, determined according to the formula set forth in 47 CFR § 25.165(a)(2); and
 - b. Intelsat must launch the space station, position it in its assigned orbital location, and operate it in accordance with the station authorization no later than June 26, 2023, 47 CFR § 25.164(a).

This authorization will be null and void automatically, without further Commission action if Intelsat fails to comply with any of these requirements. Failure to comply with the milestone requirement of 47 CFR §

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25.164(a) will also result in forfeiture of Intelsat's surety bond. By July 10, 2023, Intelsat must either demonstrate compliance with its milestone requirement or notify the Commission in writing that the requirement was not met. 47 CFR § 25.164(f).


21. Intelsat's operation of Intelsat 39 in the 3625-4200 MHz, 5850-6425 MHz, 10.7-11.7 GHz, 12.5-12.75 GHz, and 13.75-14.5 GHz frequency bands at the 62.0° E.L. orbital location is subject to the following conditions:
22. Intelsat shall remain a signatory to the Public Services Agreement between Intelsat and the International Telecommunications Satellite Organization (ITSO) that was approved by the ITSO Twenty-fifth and Thirty-seventh Assembly of Parties, as amended.
23. No entity shall be considered a successor-in-interest to Intelsat under the ITSO Agreement for licensing purposes unless it has undertaken to perform the obligations of the Public Services Agreement approved by the Twenty-fifth and Thirty-seventh Assembly of the Parties, as amended.
24. The license term for the space station is 15 years and will begin on the date that Intelsat certifies to the Commission that Intelsat 39 has been successfully placed into orbit and its operations fully conform to the terms and conditions of this authorization. Intelsat is directed to file its certification of commencement of operation with the Commission within five business days of Intelsat 39 being placed into operation at the 62.0° E.L. orbital location.

Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.

This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.

Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).

Action Date:	June 26, 2017	
Term Dates	From: see conditions	To: see conditions

Approved:

 Stephen J. Duall
 Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -3006
Attention:	Jennifer D. Hindin	Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

a.

- (N/A) a1. Earth Station
 a2. Space Station

b.

- b1. Application for License of New Station
(N/A) b2. Application for Registration of New Domestic Receive-Only Station
(N/A) b3. Amendment to a Pending Application
(N/A) b4. Modification of License or Registration
(N/A) b5. Assignment of License or Registration
(N/A) b6. Transfer of Control of License or Registration
(N/A) b7. Notification of Minor Modification
(N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
 b10. Replacement Satellite Application - no new frequency bands
 b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)
 b12. Petition for Declaratory Ruling to be Added to the Permitted List
(N/A) b13. Other (Please specify)

17c. Is a fee submitted with this application?

If Yes, complete and attach FCC Form 159.

If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

Governmental Entity Noncommercial educational licensee

Other (please explain):

17c. Fee Classification BNY – Space Station (Geostationary)

18. If this filing is in reference to an existing station, enter:

(a) Call sign of station:

Not Applicable

19. If this filing is an amendment to a pending application enter:

(a) Date pending application was filed:

Not Applicable

(b) File number of pending application:

Not Applicable

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:

- a. Fixed Satellite
- b. Mobile Satellite
- c. Radiodetermination Satellite
- d. Earth Exploration Satellite
- e. Direct to Home Fixed Satellite
- f. Digital Audio Radio Service
- g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

- Common Carrier Non-Common Carrier

22. If earth station applicant, check all that apply.
Not Applicable

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

- Connected to a Public Switched Network Not connected to a Public Switched Network N/A

24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).

- a. C-Band (4/6 GHz) b. Ku-Band (12/14 GHz)
 c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- (N/A) a. Fixed Earth Station
- (N/A) b. Temporary-Fixed Earth Station
- (N/A) c. 12/14 GHz VSAT Network
- (N/A) d. Mobile Earth Station
- e. Geostationary Space Station.
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY: Not Applicable

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments. Yes No

ALIEN OWNERSHIP

Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

29. Is the applicant a foreign government or the representative of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No
30. Is the applicant an alien or the representative of an alien?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.	Engineering Stmt

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

Yes No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances

Yes No

39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.

Yes No

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. Yes No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43. Yes No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Intelsat License LLC hereby applies to launch and operate a C/Ku-band replacement satellite with new frequencies, to be known as Intelsat 39, at the 62.0 E.L. orbital location. Intelsat 39 is anticipated to be launched in the first quarter of 2019 and, after traffic transition, will replace the Intelsat 902 (call sign S2406) satellite, which

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify) Limited Liability Company

45. Name of Person Signing
Susan H. Crandall

46. Title of Person Signing
Assoc. Gen. Counsel, Intelsat Corporation

47. Please supply any need attachments.

1: Legal Narrative

2:

3:

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104–13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

43. Description. (Summarize the nature of the application and the services to be provided).

Intelsat License LLC hereby applies to launch and operate a C/Ku-band replacement satellite with new frequencies, to be known as Intelsat 39, at the 62.0 E.L. orbital location. Intelsat 39 is anticipated to be launched in the first quarter of 2019 and, after traffic transition, will replace the Intelsat 902 (call sign S2406) satellite, which is currently operating at 62.0 E.L. Intelsat 39 will operate on a non-common carrier basis.