

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

In the Matter of

Intelsat License LLC, as debtor-in-
possession

Application for Authority to Launch and
Operate Intelsat 85, a Ku/Ka-band
Satellite, at 85.0° W.L.

File No. SAT-LOA- _____

**APPLICATION FOR AUTHORITY TO LAUNCH AND OPERATE
INTELSAT 85, A KU/KA-BAND SATELLITE, AT 85.0° W.L.**

Intelsat License LLC, as debtor-in-possession (“Intelsat”), pursuant to Section 25.114 of the Federal Communications Commission’s (“FCC” or “Commission”) rules,¹ hereby applies for a U.S. license to launch and operate a new Ku/Ka-band satellite, to be known as Intelsat 85, at the 85.0° W.L. orbital location.² Prior to Intelsat 85’s arrival and after the successful commencement of service of Galaxy 32 (S3078) and Intelsat 40e (S3066), Intelsat plans to relocate Galaxy 17 (S2715) from 91.0° WL to 85.0° W.L. to provide Ku-band services to

¹ 47 C.F.R. § 25.114.

² The frequency bands identified in this application at the nominal 85° W.L. orbital location became available for reassignment pursuant to the Commission’s first-come, first-served license process effective 2:00 pm EST on Tuesday, December 7, 2021. *See Policy Branch; Actions Taken*, Public Notice, Report No. SAT-015995, File No. SAT-MOD-20191223-00152 (Dec. 3, 2021).

customers from the 85.0° W.L. orbital location.³ Intelsat 85 will operate on a non-common carrier basis.⁴

As demonstrated below, Intelsat is legally and technically qualified to launch and operate the satellite proposed herein. Moreover, grant of this application will serve the public interest by providing Ku- band Ka-band capacity for services to North and Central American customers from the 85.0° W.L. orbital location. In accordance with the Commission's requirements,⁵ this application has been filed electronically as an attachment to FCC Form 312 and Schedule S.

I. INTELSAT IS QUALIFIED TO HOLD THE AUTHORIZATION REQUESTED HEREIN

A. Legal Qualifications

Intelsat is legally qualified to hold the space station authorization requested in this application. The information provided in the attached Form 312 demonstrates Intelsat's compliance with the Commission's basic legal qualifications. In addition, Intelsat already holds multiple Commission satellite licenses, and its legal qualifications are a matter of record before

³ See *Policy Branch; Actions Taken*, Public Notice, Report No. SAT-00439, File Nos. SAT-RPL-20061219-00155, SAT-AMD-20070123-00013 (Apr. 27, 2007). Intelsat expects to commence relocation following the arrival of Intelsat 40e (S3066) and Galaxy 32 (S3078) at the nominal 91° W.L. orbital location and transfer of customer traffic from Galaxy 17 to the Intelsat 40e and Galaxy 32 space stations. See *Policy Branch; Space Station Applications Accepted for Filing*, Public Notice, Report No. SAT-01480, File No. SAT-LOA-20200413-00035 (July 10, 2020) (accepting for filing Intelsat's application to license Intelsat 40e to operate at 91° W.L. using Ku- and Ka-band frequencies); *Policy Branch; Space Station Applications Accepted for Filing*, Public Notice, Report No. SAT-01525, File No. SAT-LOA-20210107-00004 (Jan. 29, 2021) (accepting for filing Intelsat's application to license Galaxy 32, a replacement satellite with new frequencies, to operate at 91° W.L. using C- and Ku-band frequencies).

⁴ Section 310(b) is not applicable to this application because Intelsat 85, like all other satellites licensed to Intelsat, will operate on a non-common carrier basis. See *Applications of The News Corp. Ltd. and The DIRECTV Group, Inc. (Transferors) and Constellation LLC, Carlyle PanAmSat I, LLC, et al. (Transferees) for Authority to Transfer Control of PanAmSat Licensee Corp.*, Public Notice, 19 FCC Rcd 15424, 15425 n.5 (IB 2004).

⁵ 47 C.F.R. § 25.114(c).

the Commission.⁶

B. Technical Qualifications

In the attached Form 312, Schedule S, and Engineering Statement, Intelsat demonstrates that it is technically qualified to hold the authorization requested herein. Specifically, Intelsat provides the information currently required by Section 25.114 of the Commission's rules⁷ and information demonstrating Intelsat's compliance with the Commission's orbital debris mitigation rules.⁸

II. OPERATIONAL FREQUENCIES

The Intelsat 85 satellite at 85.0° W.L will operate in the following frequency bands:

Intelsat 85
11700-12200 MHz
14000-14500 MHz
18600-18800 MHz
19700-20200 MHz
28400-28600 MHz
29500-30000 MHz

Intelsat will supplement its application to include the telemetry, tracking, and control ("TT&C") frequencies for Intelsat 85. Final frequency selections will be informed by discussions with the satellite manufacturer.

⁶ See *Constellation, LLC, Carlyle PanAmSat I, LLC, et al., Transferee, Consolidated Application for Authority to Transfer Control of PanAmSat Licensee Corp. and PanAmSat H-2 Licensee Corp.*, Memorandum Opinion and Order, 21 FCC Rcd 7368, ¶ 23 (2006) ("The Commission previously has determined that PanAmSat and Intelsat are qualified to hold licenses.").

⁷ 47 C.F.R. § 25.114(c).

⁸ 47 C.F.R. § 25.114(d)(14); see also *Mitigation of Orbital Debris in the New Space Age*, Report and Order, 33 FCC Rcd 4156 (2020); *Mitigation of Orbital Debris*, Second Report and Order, 19 FCC Rcd 11567 (2004).

III. GRANT OF THIS APPLICATION WILL SERVE THE PUBLIC INTEREST

The new Intelsat 85 satellite will serve the public interest by providing new capacity is available to serve customers in North and Central America. This additional capacity will benefit customers by increasing competition by enabling Intelsat to expand its service offerings from the 85.0° W.L orbital location.

IV. MILESTONE AND BOND REQUIREMENTS

Intelsat 85 will be subject to the milestone and bond posting requirements set forth in Sections 25.164 and 25.165 of the Commission's rules.⁹ Intelsat understands and accepts that to maintain the license it must post bond within 30 days of the grant of its license.

V. ITU COST RECOVERY AND INTERNATIONAL COORDINATION

Intelsat is aware that processing fees are currently charged by the International Telecommunication Union ("ITU") for satellite filings, and that Commission applicants are responsible for any and all fees charged by the ITU.¹⁰ Intelsat is aware of and unconditionally accepts this requirement and responsibility to pay any ITU cost recovery fees associated with any ITU filings that the Commission makes on behalf of Intelsat for the satellite proposed in this application, as well as any ITU filings associated with any satellite system for which Intelsat may request authorization at a later date.

Additionally, Intelsat agrees to comply with any existing coordination agreements between the U.S. and foreign nations with respect to the existing ITU filings for the 85° W.L. orbital location.

⁹ 47 C.F.R. §§ 25.164(a), 25.165(a).

¹⁰ *See Implementation of ITU Cost Recovery Charges for Satellite Network Filings*, Public Notice, 16 FCC Rcd 18732 (2001).

VI. CONCLUSION

Based on the foregoing, Intelsat respectfully requests that the Commission grant this license application.

Jennifer D. Hindin
Madeleine M. Lottenbach
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006

Respectfully submitted,

Intelsat License LLC

By: /s/ W. Ray Rutngamlug
W. Ray Rutngamlug Associate General
Counsel Intelsat US LLC

Cynthia J. Grady
Assistant General Counsel
Intelsat US LLC

December 7, 2021

Exhibit A

FCC Form 312, Response to Question 34: Foreign Ownership

The Commission previously approved foreign ownership in Intelsat License LLC (“Intelsat”), in the *Intelsat-Serafina Order*.¹ In 2012, the International Bureau authorized the transfer of control of Intelsat.² There have been no other material changes to Intelsat’s foreign ownership since the date of the *Intelsat-Serafina Order*.

¹ *Intelsat Holdings, Ltd. and Serafina Holdings Limited, Consolidated Application for Consent to Transfer of Control of Holders of Title II and Title III Authorizations*, Memorandum Opinion and Order, 22 FCC Rcd 22151 (2007).

² *Intelsat Global Holdings, S.A., Applications to Transfer Control of Intelsat Licenses and Authorizations from BC Partners Holdings Limited to Public Ownership*, Order, 27 FCC Rcd 5226 (2012). The transfer of control was fully consummated on June 14, 2018. See Letter from Jennifer D. Hindin, Counsel for Intelsat, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 11-205 (filed June 14, 2018).

Exhibit B

FCC Form 312, Response to Question 40: Officers, Directors, and Ten Percent or Greater Shareholders

The officers and directors/managers of Intelsat License LLC and Intelsat License LLC, as debtor in possession, are as follows:

Officers:

David Tolley, Chairman
José Toscano, Deputy Chairman
Michelle Bryan, General Counsel, Chief
Administrative Officer, and Secretary
Mirjana Hervy, Director, Finance

Board of Managers:

David Tolley
José Toscano
Michelle Bryan

The business address of all Intelsat License LLC and Intelsat License LLC, as debtor in possession, officers and members of the Board of Managers is 4, rue Albert Borschette L-1246 Luxembourg.

Intelsat License LLC and Intelsat License LLC, as debtor in possession, are Delaware limited liability companies that are indirectly wholly owned by Intelsat S.A. Specifically, Intelsat License LLC and Intelsat License LLC, as debtor in possession, are wholly owned by Intelsat License Holdings LLC, also a Delaware limited liability company. Intelsat License Holdings LLC is wholly owned by Intelsat Ventures S.à r.l., a Luxembourg company, which is in turn wholly owned by Intelsat Alliance LP, a Delaware limited partnership. Intelsat Alliance LP is managed by one general partner and two limited partners—Intelsat Genesis GP LLC, Intelsat Genesis Inc., and Intelsat Jackson Holdings S.A., respectively. Intelsat Genesis GP LLC is a Delaware limited liability company, which is wholly owned by Intelsat Genesis Inc., a Delaware corporation.

Intelsat Genesis Inc. is a wholly owned subsidiary of Intelsat Jackson Holdings S.A., a Luxembourg company. Intelsat Jackson Holdings S.A. is wholly owned by Intelsat Connect Finance S.A., a Luxembourg company, which in turn is wholly owned by Intelsat Envision Holdings LLC, a Delaware limited liability company. Intelsat Envision Holdings LLC is wholly owned by Intelsat (Luxembourg) S.A., a Luxembourg company. Intelsat (Luxembourg) S.A. is wholly owned by Intelsat Investments S.A., a Luxembourg company, which in turn is wholly owned by Intelsat Holdings S.A., a Luxembourg company. Intelsat Holdings S.A. is wholly owned by Intelsat Investment Holdings S.à r.l., a Luxembourg company. Intelsat Investment Holdings S.à r.l. is wholly owned by Intelsat S.A., a Luxembourg company. Each of these entities may be contacted at the following address: 4, rue Albert Borschette, L-1246 Luxembourg.

Intelsat S.A. is a publicly traded company. To the best of Intelsat’s knowledge, and with the exception of BC Partners Holdings Limited (“BCP”), described below, no person or entity holds a ten percent or greater ownership interest in Intelsat S.A. as of November 4, 2021.

Name:	BCP
Address:	West Wing, Floor 2, Trafalgar Court, Les Banques, St Peter Port, Guernsey, Channel Islands
Citizenship:	Guernsey
Indirect Interest:	Approximately 34% ¹

¹ The exact indirect interest held by BCP is subject to fluctuation as Intelsat S.A.’s stock is publicly traded.