

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

In the Matter of)
)
Inmarsat Hawaii Inc.) File No. SAT-LOI-20140326-00034
) Call Sign S2923
Application for Access to the U.S. Market Using)
Proposed Ka-band Geostationary-Satellite Orbit)
Space Station Inmarsat-KA 63 W at the)
62.85° West Longitude Orbital Location)

To: Chief, Satellite Division
International Bureau

PETITION

HNS License Sub, LLC (“Hughes”), pursuant to Section 25.154 of the Commission’s Rules (47 C.F.R. § 25.154), hereby petitions the Commission to seek clarification from Inmarsat Hawaii Inc. (“Inmarsat”) with respect to its above-captioned application.¹ As described in the May 9th Public Notice, the application (“Inmarsat 63W LOI Application”) seeks access to the U.S. market using a new Ka-band geostationary-satellite (“Inmarsat-KA 63 W”) to be located at the 62.85° West Longitude orbital location. If Inmarsat properly corrects or clarifies, as appropriate, certain information contained in its 63W technical proposal concerning compliance with the Commission’s two-degree spacing policy, Hughes would then have no objection to processing of the Inmarsat 63W LOI Application.² However, if the

¹ The application appeared on the International Bureau’s “Accepted for Filing” Public Notice released on Friday, May 9, 2014. *See* Public Notice, “Policy Branch Information: Satellite Space Applications Accepted for Filing,” Report No. SAT-01014, released May 9, 2014 (“May 9th Public Notice”).

² Hughes interest in the technical proposal contained in the Inmarsat 63W LOI Application arises from the fact that it has filed an earth station application to access from three U.S.

discrepancy detailed below is not appropriately corrected or explained, then the Inmarsat 63W LOI Application would not be compliant with the Commission's Rules, and the application should then be dismissed or denied.

The specific data that is of concern to Hughes appears at Page 9, Block S13 of the Schedule S submitted as part of the Inmarsat 63W LOI Application, which details the typical emissions of the proposed satellite network.³ Maximum transmit power for associated earth station transmissions is specified in column (k) of this table. The table contains data for a range of transponder IDs that indicate: (1) at line two, operation with a maximum antenna gain of 64 dBi and an associated maximum transmit power of 23 dBW, and (2) at line four, operation with a maximum antenna gain of 43.6 dBi and an associated maximum transmit power of 10.5 dBW.⁴ In both cases, the stated value for transmit power would exceed what is appropriate for facilities eligible for routine processing under the Commission's two-degree spacing policy. In the first instance, the stated transmit power value would exceed the limit necessary to avoid harmful interference to adjacent satellites by approximately 4 dB.⁵ In the second case, the stated transmit power would exceed the Commission's limit by about 1 dB.⁶ These values are not consistent with Inmarsat's statement in the narrative portions of its application that its operations would be "fully compliant with the Commission's two-degree

gateway locations hosted Ka-band capacity on the Eutelsat 65W A satellite at the adjacent two-degree-spaced orbital location (for which the actual proposed operating location is 65.2° W.L). *See* FCC File No. SES-LIC-20140423-00311 (Call Sign E140047).

³ *See* Inmarsat 63W LOI Application, Schedule S Tech Report at Page 9, Block S13 (actual page 25 as printed).

⁴ The bandwidth related to this flange power is of 32 MHz for the forward direction and 3.7 MHz for the return link. *See* Schedule S, Section 11, Rows 1 and 3.

⁵ *See* 47 C.F.R. § 25.138(a).

⁶ *See id.*

spacing requirements.”⁷ Operation at the higher transmit power levels under typical conditions would subject Hughes’ planned operations at the adjacent orbital location, as well as those of other operators that are compliant with the two-degree spacing policy, at significantly increased risk of harmful interference unless such operations are successfully coordinated.

The stated power levels may be inadvertent errors, but whatever the source of the discrepancy, Hughes respectfully requests that the International Bureau require Inmarsat to clarify or correct these transmit power values. Adjacent satellite operators need to have certainty that Inmarsat’s operations will indeed be fully compliant with the Commission’s two-degree spacing policy and the technical requirements established thereunder. If the stated transmit parameters are correct, Inmarsat would be required to submit additional showings under the Commission’s Rules and to reach coordination agreements with the adjacent operators, including Hughes.⁸ Failure by Inmarsat to demonstrate its compliance with these requirements via one of the alternative means would require the Commission to dismiss or deny the Inmarsat 63W LOI Application.

Respectfully submitted,

HNS LICENSE SUB, LLC

By: Jennifer A. Manner
Jennifer A. Manner
Vice President, Regulatory Affairs
EchoStar Corporation
(Parent Company of
Hughes Network Systems, LLC and
HNS License Sub, LLC)

June 9, 2014

⁷ Inmarsat 63W LOI Application at 4; *see also* Technical Annex at 10, Section A.11.

⁸ *See* 47 C.F.R. §§ 25.138(b)-(e) &§ 25.220.

TECHNICAL CERTIFICATION

I, Steven Doiron, hereby declare, under penalty of perjury, that I am the technically qualified person responsible for the engineering information contained in the foregoing "Petition," that I am familiar with Part 25 of the Commission's Rules, and that I have either prepared or reviewed the engineering information contained therein and found it to be complete and accurate.

By: _____



Steven Doiron
Senior Director, Regulatory Affairs
Hughes Network Systems, LLC

June 9, 2014

CERTIFICATE OF SERVICE

I, Sharon A. Krantzman, do hereby certify that on this 9th day of June 2014, I sent a copy of the foregoing "Petition" via first-class mail to:

Christopher J. Murphy
Senior Director, Government Affairs
Inmarsat Hawaii Inc.
1101 Connecticut Avenue NW
Suite 1200
Washington, DC 20036

Sharon Krantzman

Sharon Krantzman