



Wiley Rein & Fielding LLP

RECEIVED

MAR 27 2006

Jennifer D. Hindin  
202.719.4975  
jhindin@wrf.com

1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000  
FAX 202.719.7049

March 27, 2006

Federal Communications Commission  
Office of Secretary

Received

MAR 29 2006

Policy Branch  
International Bureau

Virginia Office  
7925 JONES BRANCH DRIVE  
SUITE 6200  
McLEAN, VA 22102  
PHONE 703.905.2800  
FAX 703.905.2820

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: ICO Satellite Services, G.P, Application for Modification, File No. SAT-MOD-20050926-00182

www.wrf.com

Dear Ms. Dortch:

Intelsat North America LLC ("Intelsat"), by its counsel, files this letter in response<sup>1</sup> to the above-referenced request of ICO Satellite Services, G.P. ("ICO") for waiver of Section 25.202(g) of the rules of the Federal Communications Commission ("FCC" or "Commission") to permit ICO's use of C-band frequencies for telemetry, tracking and command ("TT&C") operations during transit to 93° W.L. following launch of its proposed geostationary satellite orbit ("GSO") satellite and in the event of emergencies involving temporary or permanent failure of ICO's Ka-band TT&C sub-system.<sup>2</sup>

First, Intelsat assumes that, consistent with the Commission's first-come, first-served procedures, the International Bureau will find that the C-band frequencies requested by ICO are not available for assignment. Intelsat already holds a license from the Commission to operate, and is operating, IA-6 at 93° W.L. using the same C-band frequencies requested by ICO.<sup>3</sup> In the Commission's *Satellite Licensing Streamlining Order*, the FCC determined that "a first-come, first-served procedure is the best option available for GSO-like satellite systems, *i.e.*, satellite systems where the earth station antennas accessing the satellites in that system can exclude

<sup>1</sup> To the extent necessary, Intelsat requests leave to file these comments later than thirty days after the date of public notice announcing ICO's application. 47 C.F.R. §25.154(b) (allowing the Commission to consider a late-filed pleading as an informal objection). To the extent that leave is not granted, Intelsat respectfully requests consideration of this letter under Section 1.41. 47 C.F.R. §1.41. Consistent with Section 1.1208 of the FCC's rules governing restricted proceedings, a copy of this letter has been served on ICO and ManSat. 47 C.F.R. §1.1208, Note 1, Example 1.

<sup>2</sup> Policy Branch Information, Satellite Space Station Applications Accepted for Filing, Report No. SAT-00325 (Oct. 21, 2005)(Public Notice).

<sup>3</sup> *In the Matter of Loral Satellite, Inc. (Debtor-in-Possession) and Loral SpaceCom Corporation (Debtor-in-Possession), Assignors and Intelsat North America, LLC, Assignee; Applications for Consent to Assignments of Space Station Authorizations and Petition for Declaratory Ruling Under Section 310(b)(4) of the Communications Act of 1934, as Amended, Order and Authorization*, 19 FCC Rcd 2404 (2004).