

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

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<i>Application of</i>	)	
	)	
<b>INTELSAT NORTH AMERICA LLC</b>	)	File No. SAT-MOD-20081124-00218
	)	(S2401)
To Modify Authorization to Operate the	)	
Intelsat 706 Satellite at 54.85° E.L.	)	
_____	)	

**REPLY TO OPPOSITION TO PETITION TO DENY OR CONDITION**

New Skies Satellites B.V. (“New Skies”) hereby replies to the Opposition filed by Intelsat North America LLC (“Intelsat”) with regard to its application for authority to operate the Intelsat 706 satellite at the 54.85° E.L. orbital location.<sup>1</sup> New Skies welcomes Intelsat’s clarification that it will operate Intelsat 706 under the same non-interference and other conditions imposed on the operation of Intelsat 702 at the same location.<sup>2</sup> This is a very significant and positive step, although New Skies notes that this matter would have been more straightforward if Intelsat had clarified these conditions in its original application.

While New Skies remains concerned about the potential for interference into its operations at 57° E.L. from Intelsat’s operations nearby, it believes that an enforceable set of non-interference conditions on Intelsat’s license to operate Intelsat 706 at 54.85° E.L. would result in a workable regime in this very unusual set of circumstances. In

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<sup>1</sup> See Opposition to Petition to Deny or Condition, IBFS File No. SAT-MOD-20081124-00218 (filed Mar. 6, 2009) (“Opposition”).

<sup>2</sup> See *id.* at 1, 3.

particular, New Skies is reassured by the fact that the indicative power density levels proffered by Intelsat<sup>3</sup> (while insufficient in New Skies' estimation to protect the use of its ITU filings at 57° E.L.) will be subject to Intelsat's overriding obligation to operate on a non-interference basis and, thus, subject to reductions in power below those levels in the event New Skies suffers harmful interference. As a result, given Intelsat's willingness to address interference events immediately<sup>4</sup> and the Commission's ability to enforce the non-interference condition, New Skies believes that its existing and future operations at 57° E.L. should be adequately protected.

Accordingly, New Skies does not object to the grant of Intelsat's application to operate Intelsat 706 at 54.85° E.L. under the same conditions as those imposed on the operation of Intelsat 702 at the same location, as noted above.

Respectfully submitted,

NEW SKIES SATELLITES B.V.

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<sup>3</sup> *Id.* at 5-6.

<sup>4</sup> Intelsat states that it is "willing immediately to respond" should New Skies bring any interference concerns directly to its attention. *Id.* at 7.

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 13<sup>th</sup> day of March, 2009, a copy of the foregoing  
Reply was served by first class U.S. mail, postage prepaid, upon:

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/s/  
\_\_\_\_\_  
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