

S2469 SAT-MOD-20090309-00034
Intelsat North America LLC
GALAXY 26

IB2009000650

File # SAT-MOD-20090309-00034

Call Sign S2469 Grant Date 06/17/09

(or other identifier)

Term Dates

From 06/17/09 To 03/15/2014

Approved: Stephen J. Duall

Chief, Policy Branch

Approved by OMB
3060-0678



Date & Time Filed: Mar 9 2009 3:32:43:683PM
File Number: SAT-MOD-20090309-00034

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM

FCC Use Only

FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Modification Application to Relocate Galaxy 26 (S2469) to 50.75 E.L.

1-8. Legal Name of Applicant

Name:	Intelsat North America LLC	Phone Number:	202-944-7848
DBA Name:		Fax Number:	202-944-7870
Street:	c/o Intelsat Corporation 3400 International Drive, N.W.	E-Mail:	susan.crandall@intelsat.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20008 -3006
Attention:	Susan H. Crandall		

Attachment
IBFS File No. File No. SAT-MOD-20090309-00034
Call Sign S2469
June 17, 2009

The application of Intelsat North America LLC (Intelsat), IBFS File No. SAT-MOD-20090309-00034, is GRANTED.¹ Accordingly, Intelsat is authorized to operate the Galaxy 26 space station (Call Sign S2469) at the 50.75° E.L. orbital location to provide Fixed Satellite Services (FSS) in the Ku-band frequencies of 14.0–14.5 GHz (Earth-to-space) and 11.7–12.2 GHz (space-to-Earth).² Additionally, Intelsat is authorized to provide on-station Telemetry, Tracking, and Command operations for the Galaxy 26 space station at the 50.75° E.L. orbital location using the following C-band frequencies:

- Telemetry: 4196.5 MHz (vertical polarization/space-to-Earth) or 4199.5 MHz (vertical polarization/space-to-Earth)
- Ranging: 6315.0 MHz (vertical polarization/Earth-to-space) and 4090.0 MHz (horizontal polarization/space-to-Earth)
- Command: Primary: 5926.5 MHz (right-hand circular polarization/Earth-to-space); Back-Up: 6411.0 MHz (right-hand circular polarization/Earth-to-space)

These Ku- and C-band operations are authorized in accordance with the technical specifications set forth in Intelsat's application, the Federal Communications Commission's rules not waived herein, and the following conditions:

1. 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.
2. While at the 50.75° E.L. orbital location, Intelsat shall maintain the Galaxy 26 space station with an east/west longitudinal station-keeping tolerance of +/- 0.05 degrees.

¹ Intelsat's application was placed on Public Notice on March 27, 2009. Policy Branch Information, Satellite Space Applications Accepted for Filing, Public Notice, Report No. SAT-00592 (rel. March 27, 2009). New Skies Satellites B.V. (New Skies) filed comments on April 27, 2009, requesting that certain conditions be included to protect future satellite networks with higher International Telecommunication Union (ITU) priority at the same or nearby orbital locations. Intelsat filed a response on May 6, 2009, agreeing to inclusion of these conditions. We find that the standard licensing condition drawn from Section 25.111(b) of the Commission's rules, which is contained in paragraph 5 below, adequately addresses the concerns raised by New Skies. See Intelsat North America LLC, *Order and Authorization*, DA 09-1132 at para. 18 (Sat. Div. rel. May 26, 2002) (explaining that United States is under treaty obligation to adhere to ITU coordination procedures, which are intended to ensure that the operations of one country's space stations do not cause harmful interference to the operations of another country's radiocommunication network frequency assignments).

² Intelsat is currently operating Galaxy 26 at the 50.75° E.L. orbital location for a 60-day period that commenced on May 15, 2009, pursuant to special temporary authority (IBFS File No. SAT-STA-20090505-00051).

3. Intelsat's operation of the Galaxy 26 satellite in the FSS in the 11.7 to 12.2 GHz frequency band at the 50.75° E.L. orbital location is subject to the following conditions:

- a. Intelsat must operate Galaxy 26 on an unprotected and non-harmful interference basis with respect to broadcasting-satellite service (BSS) operations in Region 3 in accordance with Article 4.4 of the ITU Radio Regulations.
- b. Intelsat must operate Galaxy 26 in accordance with the BSS PFD limits specified in the ITU Radio Regulations, Appendix 30, Annex 1, Sections 1(a) and 4, for protection of co-frequency BSS and terrestrial operators.

Intelsat shall prepare and submit to the Federal Communications Commission, within fifteen days following release of this grant, materials for submission to the ITU, pursuant to Article 8.4 of the Radio Regulations, in connection with the operations of the Galaxy 26 spacecraft in the 11.7-12.2 GHz frequency band at the 50.75° E.L. orbital location.

4. Intelsat's request for waiver of Section 25.202(g) of the Commission's rules, 47 C.F.R. 25.202(g) is GRANTED, as conditioned. Section 25.202(g) requires that "telemetry, tracking and telecommand (TT&C) functions for U.S. domestic satellites shall be conducted at either or both edges of the allocated band(s). Frequencies, polarization, and coding shall be selected to minimize interference into other satellite networks and within their own satellite system." Intelsat seeks a waiver of this rule to operate Galaxy 26's back-up command uplink at 6411 MHz, its ranging uplink at 6315 MHz, and its ranging downlink at 4090 MHz - none of which are at the band edges - for regular on-station TT&C communications at the 50.75° E.L. orbital location. This waiver grant is based upon the following findings:

- (a) Due to health issues with Galaxy 26, Intelsat can only operate the space station's back-up command uplink, ranging uplink, and ranging downlink at the aforementioned frequencies;
- (b) Intelsat needs to operate command and ranging with Galaxy 26 in order to insure safe operation of the space station;
- (c) Intelsat will coordinate operations of Galaxy 26 with other space stations to avoid interference, and will operate Galaxy 26 on a non-interference basis.

As a condition of the grant of this waiver, Intelsat shall coordinate TT&C operations of Galaxy 26 at the 50.75° E.L. orbital location with all potentially affected operators of other radiocommunication systems. In the absence of a coordination agreement regarding these TT&C operations, Intelsat's TT&C operations shall be on a non-harmful interference basis (*i.e.*, Intelsat shall not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating radiocommunication system). Additionally, Intelsat must accommodate future space station networks that are compliant with Section 25.202(g) of the Commission's rules.

5. Intelsat shall prepare the necessary information that may be required, for submission to the International Telecommunication Union (ITU) to initiate and complete the advance publication, international coordination, due diligence, and notification process of this space station, in accordance with the ITU Radio Regulations. Intelsat shall be held responsible for all cost recovery fees associated with these 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, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments with other Administrations. 47 C.F.R. § 25.111(b).

6. Grant of this modification application does not change the expiration date of the authorization for Galaxy 26, which is March 15, 2014.

7. Intelsat is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

8. These actions are issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and are effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.



File # SAT-MOD-20090309-00034

Call Sign S2469 Grant Date 06/17/09
(or other identifier)

Term Dates
From 06/17/09 To 03/15/2014

Approved: _____

Stephen J. Duall
Stephen J. Duall
Chief, Policy Branch

9-16. Name of Contact Representative

Name: Wiley Rein LLP **Phone Number:** 202-719-4975
Company: **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.

- a1. Earth Station
- a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- b3. Amendment to a Pending Application
- b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- b13. Amendment to a Pending Database Entry Application
- b14. Modification of Database Entry

<p>17c. Is a fee submitted with this application? <input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee <input type="radio"/> Other (please explain):</p>	<p>17d. Fee Classification BFY – Space Station Modification (Geostationary)</p>	<p>18. If this filing is in reference to an existing station, enter: (a) Call sign of station: S2469</p> <p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number: (a) Date pending application was filed: (b) File number: SATMOD1997041100031</p>
--	--	--

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.

- Using U.S. licensed satellites
- Using Non-U.S. licensed satellites

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

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.

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

26. TYPE OF EARTH STATION FACILITY:

- Transmit/Receive
- Transmit—Only
- Receive—Only
- N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- a --- authorization to add new emission designator and related service
- b --- authorization to change emission designator and related service
- c --- authorization to increase EIRP and EIRP density
- d --- authorization to replace antenna
- e --- authorization to add antenna
- f --- authorization to relocate fixed station
- g --- authorization to change frequency(ies)
- h --- authorization to add frequency
- i --- authorization to add Points of Communication (satellites & countries)
- j --- authorization to change Points of Communication (satellites & countries)
- k --- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l --- authorization to change orbit location
- m --- authorization to perform fleet management
- n --- authorization to extend milestones
- o --- Other (Please specify)

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?

Yes No

30. Is the applicant an alien or the representative of an alien?

Yes No N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

Yes No N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned 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?

Yes No N/A

<p>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?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>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.</p>	

BASIC QUALIFICATIONS

<p>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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>EngineeringStatement</p>
<p>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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>

<p>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.</p>	<p style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
<p>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</p>	<p style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
<p>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.</p>	<p style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
<p>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.</p>	

<p>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"; party to the application; for these purposes.</p>	<p style="text-align: center;">Yes No</p> <p style="text-align: center;"><input checked="" type="radio"/> <input type="radio"/></p>
<p>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.</p>	<p style="text-align: center;">Yes No</p> <p style="text-align: center;"><input type="radio"/> <input checked="" type="radio"/></p>
<p>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?</p>	
<p>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.)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Intelsat North America LLC, pursuant to Section 25.117 of the rules of the Federal Communications Commission, hereby seeks to modify the authorization for the Galaxy 26 satellite, call sign S2469. Specifically, this modification seeks authority to relocate Galaxy 26 to, and to operate the satellite at, 50.75 E.L.</p> </div> <p>Narrative</p>	

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)

45. Name of Person Signing
Susan H. Crandall

46. Title of Person Signing
Asst. General Counsel, Intelsat Corporation

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).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to jboley@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

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.