

S2395 SAT-MOD-20100115-00010 IB2010000253
Intelsat North America LLC
INTELSAT 705

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File # SAT-MOD-20100115-00010
Call Sign S2395 Grant Date 09/17/10
(or other identifier)
Term Dates From 09/17/10 To 07/18/16
Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

Approved by OMB
3060-0678

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

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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Modification of Intelsat 705 to Relocate to 330.5 EL/29.5 WL (S2395)

1-8. Legal Name of Applicant

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

Attachment to Grant
IBFS File No. SAT-MOD-20100115-00010
Call Sign: S2395
September 17, 2010

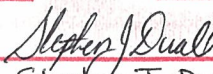
The request of Intelsat North America LLC (Intelsat) to modify its authorization for its Fixed-Satellite-Service (FSS) C-and Ku-band space station, Intelsat 705 (Call Sign S2395), IBFS File No. SAT-MOD-20100115-00010, IS GRANTED.¹ Accordingly, Intelsat IS AUTHORIZED to provide FSS via the Intelsat 705 space station at the 29.5° W.L. orbital location in the following frequency bands: 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 10.95-11.20 GHz (space-to-Earth), 11.45-11.70 GHz (space-to-Earth), 11.70-11.95 GHz (space-to-Earth), 12.50-12.75 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space). In addition, Intelsat is authorized to conduct telemetry, tracking, and telecommand (TT&C) operations necessary to maintain Intelsat 705 at the 29.5° W.L. orbital location using the following center frequencies: 3947.5 MHz, 3948.0 MHz, 3952.0 MHz, 3952.5 MHz, 6173.7 MHz, and 6176.3 MHz. This authorization is granted in accordance with the terms, conditions, and technical specifications set forth in Intelsat's application, the Commission's rules, and is subject to the following conditions:

1. Intelsat shall operate the Intelsat 705 space station at the 29.5° W.L. orbital location in compliance with all existing or future coordination agreements for that location.
2. 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.
3. While at the 29.5 ° W.L. orbital location, Intelsat must maintain the Intelsat 705 space station with an east/west longitudinal station-keeping tolerance of +/-0.05 degrees.
4. Intelsat's request that the Part 25 technical waivers previously granted for the operations of Intelsat 705 at the 50° W.L. orbital location, *i.e.* Sections 25.202(g), 25.210(a)(1), 25.210(a)(3), 25.210(i)(1), and 25.211(a), continue to apply to the operations of Intelsat 705 at the 29.5° W.L. orbital location IS GRANTED. *See* Intelsat LLC, Memorandum Opinion and Order, 15 FCC Rcd 15460 (2000), *recon. denied*, 15 FCC Rcd 25234 (2000).
5. The operation of the Intelsat 705 space station in the 10.95-11.20 GHz and 11.45-11.70 GHz band is limited to international operations in accordance with footnote NG 104 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, NG 104, and footnote 2 of Section 25.202(a)(1) of the Commission's rules, 47 C.F.R. § 25.202(a)(1).
6. Intelsat's use of the 10.95-11.20 GHz and the 11.45-11.70 GHz band is subject to footnote US211 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US211, which urges applicants for airborne or space station assignments to take all practicable steps to protect radio astronomy observations in the adjacent bands from harmful interference, consistent with footnote US74.
7. Use of the 12.5-12.75 GHz frequency bands is not permitted in the space-to-Earth direction in Region 2.
8. Grant of this modification does not constitute "specific authority" pursuant to Section 25.161(c) of the Commission's rules.

¹ Intelsat 705 is currently operating at the 29.5° W.L orbital location pursuant to grants of special temporary authority. *See* SAT-STA-20100205-00023 (granted Mar. 1, 2010), SAT-STA-20100423-00083 (granted May 6, 2010), SAT-STA-20100624-00146 (granted Jul. 22, 2010), and SAT-STA-20100823-00180 (granted Aug. 7, 2010).

Attachment to Grant
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9. Grant of this authorization is without prejudice to any decision regarding Intelsat's ability to file an application for authorization to operate a replacement space station in the 12.50-12.75 GHz frequency band at the 50° W.L. orbital location.² Grant of this authorization does not constitute an announcement that these frequencies are available for reassignment.
10. Intelsat's operation in the 3700-4200 MHz, 5925-6425 MHz, 10.95-11.20 GHz, 11.45-11.70 GHz, 11.70-11.95 GHz, 12.50-12.75 GHz, and 14.0-14.5 GHz frequency bands at the 29.5° W.L. orbital location is subject to the following conditions:
 - a. Intelsat shall remain a signatory to the Public Services Agreement between Intelsat and the International Telecommunications Satellite Organization (ITSO) that was approved by the ITSO Twenty-fifth Assembly of Parties, as amended.
 - b. No entity shall be considered a successor-in-interest to Intelsat under the ITSO Agreement for licensing purposes unless it has undertaken to perform the obligations of the Public Services Agreement approved by the Twenty-fifth Assembly of Parties, as amended.
11. Nothing in this authorization extends the license term for this space station, Call Sign S2395, which expires on July 18, 2016.
12. Intelsat is afforded 30 days from the date of this action to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
13. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is 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.

 GRANTED* International Bureau *with conditions	File #	SAT-MOD-20100115-00010		
	Call Sign	S2395	Grant Date	09/17/10
	(or other identifier)		Term Dates	
	From	09/17/10	To	07/18/16
	Approved:	 Stephen J. Duall Chief, Satellite Policy Branch		

² Intelsat 1R (Call Sign S2368) is authorized to operate at the 50° W.L. orbital location that was formerly occupied by Intelsat 705. See SAT-MOD-20090720-00073 (granted Aug. 5, 2010). In its application to operate the Intelsat 1R at 50° W.L., Intelsat did not seek, and was not granted, authority to use the 12.50-12.75 GHz frequency band, which was authorized for use by Intelsat 705 at that location. Intelsat 705 left the 50° W.L. orbital location pursuant to a grant of STA. As of the date of this action, no Intelsat space station is operating in the 12.50-12.75 GHz frequency band at the 50° W.L. orbital location.

9-16. Name of Contact Representative

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006-
Attention:		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

17c. Is a fee submitted with this application? ☒ If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). ☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other (please explain):	
17d. Fee Classification BFY – Space Station Modification (Geostationary)	
18. If this filing is in reference to an existing station, enter: (a) Call sign of station: S2395	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: SATMOD2002041800064

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 ☒ N/A

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
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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 of record 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

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 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?	☒ Yes ☐ No ☐ N/A
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.	

BASIC QUALIFICATIONS

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.	☒ Yes ☐ No
Engineering Statement	
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.	☒ Yes ☐ No

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.	☐ Yes ☒ No
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	☐ Yes ☒ No
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.	☐ Yes ☒ No
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.	

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" for these purposes.	Yes ☒ No ☐
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.	Yes ☐ No ☒
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?	
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.) Intelsat North America LLC hereby seeks to relocate the Intelsat 705 satellite to, and to operate the satellite at, 330.5 E.L. (29.5 W.L.) beginning mid-February 2010. Narrative & Exhibits	

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

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(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
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