

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat North America LLC

Application to Modify Authorization for
Intelsat 706 (S2401)

File No. SAT-MOD- _____

**APPLICATION OF INTELSAT NORTH AMERICA LLC
TO MODIFY AUTHORIZATION FOR INTELSAT 706**

Intelsat North America LLC (“Intelsat”), pursuant to Section 25.117 of the rules of the Federal Communications Commission (“Commission” or “FCC”), 47 C.F.R. § 25.117, hereby seeks to modify the authorization for the Intelsat 706 (call sign S2401) satellite. Specifically, this modification seeks permanent authority to relocate Intelsat 706 to, and to operate the satellite at, 72.1° E.L. in order to provide C- and Ku-band capacity in the Indian Ocean region.

In accordance with the requirements of the Commission’s rules,¹ this application has been filed electronically as an attachment to FCC Form 312. Intelsat provides the technical information relating to the proposed modification on Schedule S and in narrative form, as contained in the attached Engineering Statement, pursuant to Section 25.114 of the Commission’s rules.²

¹ 47 C.F.R. § 25.117(c).

² 47 C.F.R. § 25.114.

I. PROPOSED MODIFICATION

By this modification, Intelsat requests authority to relocate Intelsat 706 to, and operate the satellite at, 72.1° E.L. Intelsat 706 is currently authorized to operate at 54.85° E.L.³ Upon receipt of Commission approval, Intelsat intends to commence relocating Intelsat 706 to 72.1° E.L. in early July 2010 and begin operating the satellite at that location in early August.⁴ During the drift of Intelsat 706 from 54.85° E.L. to 72.1° E.L., Intelsat will utilize only the satellite's TT&C frequencies.

II. PUBLIC INTEREST SHOWING

Grant of this modification application will serve the public interest by enabling Intelsat to once again offer satellite capacity to customers in the Indian Ocean from the 72.1° E.L. orbital location. As the Commission is aware, Intelsat 4 (call sign S2461), which had recently operated at that nominal location, was de-orbited on an emergency basis due to an anomaly.⁵ The move

³ See *Policy Branch Information; Actions Taken*, Report No. SAT-00668, File No. SAT-STA-20091222-00149 (Feb. 26, 2010) (Public Notice).

⁴ Intelsat has filed a request for Special Temporary Authority to drift Intelsat 706 from 54.85° E.L. to 72.1° E.L. and begin operating at 72.1° E.L. pending grant of this modification application. See *Request for Temporary Authority to Drift Intelsat 706, Call Sign S2401*, File No. SAT-STA-20100326-00057 (filed Mar. 26, 2010).

⁵ See *PanAmSat Licensee Corp. Request for Special Temporary Authority to Conduct Emergency Operations for the Intelsat 4 Satellite, Call Sign S2461*, File No. SAT-STA-20100205-00022 (stamp grant Mar. 8, 2010); *PanAmSat Licensee Corp., Request for Extension of Special Temporary Authority to Conduct Emergency Operations for the Intelsat 4 Satellite, Call Sign S2461*, File No. SAT-STA-20100212-00026 (stamp grant Mar. 8, 2010); *PanAmSat Licensee Corp., Request for Further Extension of Special Temporary Authority to Conduct Emergency Operations for the Intelsat 4 Satellite, Call Sign S2461*, File No. SAT-STA-20100224-00035 (stamp grant Mar. 8, 2010). On March 10, 2010, PanAmSat filed a notice of de-orbit, informing the Commission that the Intelsat 4 satellite had been de-orbited to an altitude of 914.5 km above the geostationary arc. See *Letter from Susan H. Crandall to Marlene H. Dortch, Re: Intelsat 4 De-Orbit, Call Sign S2461* (filed Mar. 10, 2010).

of Intelsat 706 – which shortly will be replaced at 54.85° E.L. by Intelsat 709 (call sign S2396)⁶ – to 72.1° E.L. enables Intelsat to fill the nominal 72.0° E.L. location in the shortest time possible.⁷

Moreover, grant of this modification application will not result in increased risk of harmful interference. As noted above, Intelsat had been operating Intelsat 4 at the nominal 72.0° E.L. location. Intelsat will operate Intelsat 706 at 72.1° E.L. in accordance with its sister company PanAmSat Licensee Corp.’s existing coordination agreements regarding the location and the FCC’s rules governing operations at the nominal 72.0° E.L. location vis-à-vis adjacent locations.⁸

III. WAIVERS

As described in the attached Engineering Statement, Intelsat also requests that, to the extent necessary, the Part 25 waivers originally granted to the Intelsat 706 spacecraft continue to

⁶ See *Policy Branch Information; Actions Taken*, Report No. SAT-00666, DA 10-281, File No. SAT-STA-20100111-00006 (Feb. 19, 2010) (Public Notice) (granting 60-day STA to drift and operate at 54.85° E.L.). The modification application for permanent authority to operate the Intelsat 709 satellite at 54.85° E.L. remains pending. See *Intelsat North America, Application to Modify Authorization for Intelsat 709 (S2396)*, File No. SAT-MOD-20091106-00117 (filed Nov. 6, 2009). On March 15, 2010, Intelsat filed a request for STA to continue to drift Intelsat 709 (call sign S2396) past 54.85° E.L. to 50.0° E.L. and to operate it at 50.0° E.L. for 10 days pursuant to the ITU filings of the administration of Turkey. After this 10-day period, Intelsat 709 will return to the 54.85° E.L. orbital location. See *Request for Special Temporary Authority to Drift Intelsat 709, Call Sign S2396*, File No. SAT-STA-20100315-00046 (filed Mar. 15, 2010).

⁷ Intelsat notes that the frequencies at the nominal 72.0° E.L. location were not transferred to the United States at privatization of Intelsat and thus the conditions specified in the *Intelsat 316 Order of Modification* will not to apply to the requested authorization for the Intelsat 706 satellite to use the 72.1° E.L. orbital location and associated frequencies. *Petition of the International Telecommunications Satellite Organization under Section 316 of the Communications Act, as amended, IB 06-137, File No. SAT-MSA-20060710-00076*, Order of Modification, 23 FCC Rcd 2764, 2769-70 (Int’l Bur. 2008).

⁸ Although Intelsat 706 has the capability to transmit in the 11700 – 11950 MHz band, these frequencies were not on the Intelsat 4 satellite and Intelsat does not seek authority to use these frequencies on Intelsat 706 at the 72.1° E.L. orbital location.

apply at the 72.1° E.L. location, namely, the waivers of Sections 25.202(g), 25.210(a)(1), 25.210(a)(3), 25.210(i) and 25.211(a) of the Commission's rules.⁹

IV. CONCLUSION

For the reasons set forth above, Intelsat respectfully requests that the Commission grant this modification application.

Respectfully submitted,

Intelsat North America LLC

By: /s/ Susan H. Crandall

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May 10, 2010

⁹ See *Applications of Intelsat LLC for Authority to Operate and Further Construct, Launch, and Operate C-Band and Ku-Band Satellites that Form a Global Communications System in Geostationary Orbit*, 15 FCC Rcd 15460, 15529 (Appendix C) (2000) (Memorandum Opinion and Order and Authorization), *recon. denied*, 15 FCC Rcd 25234 (2000) (Order on Reconsideration).

Exhibit A
FCC Form 312, Response to Question 34: Foreign Ownership

The Commission previously approved the foreign ownership in Intelsat North America LLC (“Intelsat”). *See Intelsat Holdings, Ltd. and Serafina Holdings Limited, Consolidated Application for Consent to Transfer of Control of Holders of Title II and Title III Authorizations, Memorandum Opinion and Order, 22 FCC Rcd 22,151 (2007) (“Intelsat-Serafina Order”)*. In December 2009, the Commission also approved certain pro forma changes in Intelsat’s foreign ownership. There have been no other material changes to the foreign ownership since the date of the *Intelsat-Serafina Order*.

Exhibit B
FCC Form 312, Response to Question 36: Cancelled Authorizations

Intelsat North America LLC (“Intelsat”) has never had an FCC license “revoked.”

However, on June 26, 2000, the International Bureau “cancelled” two Ka-band satellite authorizations issued to PanAmSat Licensee Corp. (“PanAmSat”), a sister company of Intelsat North America LLC, based on the Bureau’s finding that PanAmSat had not satisfied applicable construction milestones. *See* PanAmSat Licensee Corp., Memorandum Opinion and Order, DA 00-1266, 15 FCC Rcd 18720 (IB 2000). In that same order, the Bureau denied related applications to modify the cancelled authorizations. PanAmSat filed an application for review of the Bureau’s decision, which the Commission denied, and subsequently filed an appeal with the United States Court of Appeals for the District of Columbia Circuit, which was dismissed in January 2003 at PanAmSat’s request. Notwithstanding the fact that the Bureau’s action does not seem to be the kind of revocation action contemplated by Question 36, Intelsat is herein making note of the decision in the interest of absolute candor and out of an abundance of caution. In any event, the Bureau’s action with respect to PanAmSat does not reflect on either PanAmSat’s or Intelsat’s basic qualifications, which are well-established and a matter of public record.

Exhibit C
FCC Form 312, Response to Question 40:
Officers, Directors, and Ten Percent or Greater Shareholders

Following are the officers of Intelsat North America LLC:

Michael McDonnell, Chairman
Andrew Stimson, Deputy Chairman
Phillip Spector, Secretary
Simon Van De Weg, Director, Finance

Following are the members of the Board of Managers of Intelsat North America LLC:

Michael McDonnell
Andrew Stimson
Phillip Spector

The address of all Intelsat North America LLC officers and members of the Board of Managers is:

23 avenue Monterey
L-2086 Luxembourg

Intelsat North America LLC is wholly owned by Intelsat LLC, a Delaware limited liability company. Intelsat LLC is wholly owned by Intelsat Holdings LLC, a Delaware limited liability company. Intelsat Holdings LLC is wholly owned by Intelsat Subsidiary Holding Company S.A., a Luxembourg company. Intelsat Subsidiary Holding Company S.A. is wholly owned by Intelsat Intermediate Holding Company S.A., a Luxembourg company. Intelsat Intermediate Holding Company S.A. is wholly owned by Intelsat Jackson Holdings S.A., a Luxembourg company. Intelsat Jackson Holdings S.A. is wholly owned by Intelsat (Luxembourg) S.A., a Luxembourg company. Intelsat (Luxembourg) S.A. is wholly owned by Intelsat S.A., a Luxembourg company. Intelsat S.A. is wholly owned by Intelsat Holdings S.A., a Luxembourg company. Intelsat Holdings S.A. is wholly owned by Intelsat Global Subsidiary S.A., a Luxembourg company. Intelsat Global Subsidiary S.A. is wholly owned by Intelsat Global S.A., a Luxembourg company (“Intelsat Global”, formerly “Serafina Holdings Limited”). Each of these entities may be contacted at the following address: 23 avenue Monterey, L-2086 Luxembourg.

Intelsat Global’s ownership was approved by the Commission in the *Intelsat-Serafina Order*, has not changed materially and is incorporated by reference. See *Intelsat Holdings, Ltd. and Serafina Holdings Limited, Consolidated Application for Consent to Transfer of Control of Holders of Title II and Title III Authorizations*, Memorandum Opinion and Order, 22 FCC Rcd 22,151 (2007) (“*Intelsat-Serafina Order*”).