

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 709 (S2396)

File No. SAT-MOD- _____

APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR INTELSAT 709

Intelsat License 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 709 (Call Sign S2396) satellite. Specifically, this modification seeks permanent authority to relocate Intelsat 709 to, and to operate the satellite in inclined orbit mode at, 47.5° E.L. pursuant to the ITU filings of the German Administration.¹

In accordance with the requirements of the Commission’s rules,² 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

¹ Intelsat incorporates herein by reference the description of Europe*Star Gesellschaft Fur Satellitenkommunikation mbH (“Europe*Star”), the entity that holds the authorization to operate at 47.5° E.L., set forth on page 2 of its STA request, File No. SAT-STA-20110715-00129. Intelsat further incorporates by reference the New Slot Usage Agreement between Europe*Star and PanAmSat Europe, as well as Europe*Star’s authorization from the German Administration to operate at the 47.5° E.L. orbital location, that previously were filed with the FCC. *See Policy Branch Information; Actions Taken*, Report No. SAT-00476, File No. SAT-STA-20061102-00128 (Oct. 12, 2007) (Public Notice) (granting STA request to drift Intelsat 601 from 63.65° E.L. to 47.5° E.L.). Intelsat 709 recently began inclined orbit operations. *See Letter from Susan H. Crandall, Intelsat, to Marlene H. Dortch, FCC, Call Sign S2396 (May 18, 2012).*

² 47 C.F.R. § 25.117(c).

contained in the attached Engineering Statement, pursuant to Section 25.114 of the Commission's rules.³

I. PROPOSED MODIFICATION

By this modification, Intelsat requests authority to relocate Intelsat 709 to, and operate the satellite at, 47.5° E.L. Intelsat 709 is currently authorized to operate at 72.10° E.L.⁴ On May 16, 2012, Intelsat began drifting Intelsat 709 to 47.5° E.L. pursuant to a grant of Special Temporary Authority.⁵ Intelsat expects to have Intelsat 709 on station at that location in mid-October 2012.⁶ Intelsat 709 will replace the Intelsat 702 satellite (Call Sign S2388), which currently operates at the 47.5° E.L. location.⁷

During the drift of Intelsat 709 from 72.10° E.L. to 47.5° E.L., Intelsat will utilize only the satellite's TT&C frequencies. The specific TT&C frequencies are as follows:

Uplink:

6173.7 MHz (LHCP)
6176.3 MHz (LHCP)

³ 47 C.F.R. § 25.114.

⁴ See *Policy Branch Information; Actions Taken*, Report No. SAT-00796, File No. SAT-MOD-20110428-00081 (July 29, 2011) (Public Notice).

⁵ See *Policy Branch Information; Actions Taken*, Report No. SAT-00869, File No. SAT-STA-20120409-00066 (May 18, 2012) (Public Notice). Intelsat also has a pending 180-day STA request to redeploy Intelsat 709 to 47.5° E.L. See *Policy Branch Information; Satellite Space Applications Accepted for Filing*, Report No. SAT-00867, DA 12-743, File No. SAT-STA-20120426-00076 (May 11, 2012).

⁶ Intelsat currently expects to operate Intelsat 709 at 47.5° E.L. until its end-of-life, which currently is anticipated to be the end of March 2013.

⁷ See *Policy Branch Information; Actions Taken*, Report No. SAT-00857, File No. SAT-STA-20120315-00046 (Apr. 6, 2012) (Public Notice). Intelsat recently received authority to continue operating the Intelsat 702 satellite at this location for an additional 180 days. See *Policy Branch Information; Actions Taken*, Report No. SAT-00866, File No. SAT-STA-20120329-00063 (May 11, 2012) (Public Notice).

Downlink:

3947.5 MHz (RHCP)
3948.0 MHz (RHCP)
3952.5 MHz (RHCP)
3952.0 MHz (RHCP)

The following chart shows the frequencies that will be used by the Intelsat 709 satellite at 47.5° E.L., as well as the FSS frequencies that are currently used by the Intelsat 702 satellite at 47.5° E.L.

Frequency Band (MHz)	Intelsat 702	Intelsat 709
3700 – 4200	✓	✓
5925 – 6425	✓	✓
10950-11200	✓	✓
11450 – 11700	✓	✓
12500-12750	✓	✓
14000 – 14500	✓	✓ ⁸

The frequencies on Intelsat 709 are identical to those on Intelsat 702.

II. PUBLIC INTEREST SHOWING

Grant of this modification application will serve the public interest by enabling Intelsat to provide continuity of service to customers at 47.5° E.L. Intelsat 702 (Call Sign S2388), which currently operates at the 47.5° E.L. location,⁹ will be re-located to a different location following the transfer of its traffic to Intelsat 709.

⁸ The 11700-11950 MHz frequency band is also on Intelsat 702 and Intelsat 709, but these frequencies are not and will not be utilized at 47.5° E.L.

⁹ See *Policy Branch Information; Actions Taken*, Report No. SAT-00857, File No. SAT-STA-20120315-00046 (Apr. 6, 2012) (Public Notice). Intelsat recently received authority to continue operating the Intelsat 702 satellite at this location for an additional 180 days. See

Grant of this modification application will not result in increased risk of harmful interference. As noted above, Intelsat will operate only the above listed TT&C frequencies during the drift, and will coordinate its TT&C transmissions with operators of satellites in the drift path. Should any interference occur during the drift, Intelsat will take all reasonable steps to eliminate such interference. Once on-station at 47.5° E.L., Intelsat will operate the communications payload and TT&C frequencies in conformance with its coordination agreements regarding the 47.5° E.L. orbital location and the FCC's rules governing operations vis-à-vis adjacent locations.

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 709 spacecraft continue to apply at the 47.5° 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.¹⁰

IV. ORBITAL DEBRIS STATEMENT

Intelsat has assessed and limited the probability of the space station becoming a source of debris as a result of collision with large debris or other operational space stations. Except for Intelsat 702, Intelsat 709 will not be located at the same orbital location as another satellite or at

Policy Branch Information; Actions Taken, Report No. SAT-00866, File No. SAT-STA-20120329-00063 (May 11, 2012 (Public Notice).

¹⁰ 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).

an orbital location that has an overlapping station-keeping volume with another satellite.¹¹ Further, Intelsat is not aware of any other FCC-licensed system, or any other system applied for and under consideration by the FCC, having an overlapping station-keeping volume with Intelsat 709 at 47.5° E.L. Finally, Intelsat is not aware of any system with an overlapping station-keeping volume with Intelsat 709 at 47.5° E.L. that is the subject of an ITU filing and that is either in orbit or progressing toward launch.

V. **10.95-11.20 GHZ, 11.45-11.70 GHZ, AND 12.50-12.75 GHZ FREQUENCY BANDS**

Intelsat understands that operations in the 10.95-11.20 GHz, 11.45-11.70 and 12.50-12.75 GHz frequency bands are subject to certain limitations and obligations, which Intelsat accepts and will fulfill. Specifically, for operations in the 10.95-11.20 GHz frequency band, Intelsat accepts the following conditions:

Operations in the 10.95-11.2 GHz frequency band shall comply with the terms of 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.

Operations in the 10.95-11.2 GHz frequency band are 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).

For operations in the 11.45-11.70 GHz frequency bands, Intelsat accepts the following conditions:

Intelsat's use of the 11450-11700 MHz band (space-to-Earth) 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

¹¹ Intelsat 709 and Intelsat 702 will be operated in the same station-keeping box until Intelsat 702 is relocated.

steps to protect radio astronomy observations in the adjacent bands from harmful interference.

The operation of the Intelsat 709 space station in the 11450-11700 MHz band (space-to-Earth) 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).

For operations in the 12.50-12.75 GHz frequency bands, Intelsat accepts the following condition:

Use of the 12.5-12.75 GHz frequency band is not permitted for fixed-satellite service in the space-to-Earth direction in Region 2.

VI. CONCLUSION

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

Respectfully submitted,

Intelsat License LLC

By: /s/ Susan H. Crandall

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Exhibit A

FCC Form 312, Response to Question 34: Foreign Ownership

The Commission previously approved foreign ownership in Intelsat License LLC (“Intelsat”), in the *Intelsat-Serafina Order*.¹² In December 2009, the Commission also approved the *pro forma* changes in Intelsat’s foreign ownership.¹³ There have been no other material changes to Intelsat’s foreign ownership since the date of the *Intelsat-Serafina Order*.

¹² *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).

¹³ *See Intelsat North America LLC, Intelsat LLC, PanAmSat Licensee Corp., PanAmSat H-2 Licensee Corp., and Intelsat New Dawn Company, Ltd., Applications for Pro Forma Transfer of Control*, File Nos. SAT-T/C-20091125-00128, SAT-T/C-20091125-00124, SAT-T/C-20091125-00127, SAT-T/C-20091125-00125, SAT-T/C-20091125-00126, SES-T/C-20091125-01505, SES-T/C-20091125-01502, SES-T/C-20091125-01506, SES-T/C-20091125-01504 and SES-T/C-20091125-01503 (granted Dec. 3, 2009).

Exhibit B

FCC Form 312, Response to Question 36: Cancelled Authorizations

Intelsat License 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 a former Intelsat entity, PanAmSat Licensee Corp. (“PanAmSat”),¹⁴ based on the Bureau’s finding that PanAmSat had not satisfied applicable construction milestones.¹⁵ 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 Intelsat’s basic qualifications, which are well-established and a matter of public record.

¹⁴ All licenses previously held by PanAmSat Licensee Corp. have been assigned to Intelsat License LLC. See IBFS File Nos. SAT-ASG-20101203-00252 (granted Dec. 23, 2010), SES-ASG-20101203-0150 (granted Dec. 20, 2010), and SES-ASG-20101206-01502 (granted Dec. 20, 2010).

¹⁵ See *PanAmSat Licensee Corp.*, Memorandum Opinion and Order, 15 FCC Rcd 18720 (IB 2000).

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

The officers and directors/managers of Intelsat License LLC are as follows:

Officers:

Michael McDonnell, Chairman
Flavien Bachabi, Deputy Chairman
Phillip Spector, Secretary
Simon Van De Weg, Director, Finance

Board of Managers:

Michael McDonnell
Flavien Bachabi
Phillip Spector

The business address of all Intelsat License LLC officers and members of the Board of Managers is:

4 rue Albert Borschette
L-1246 Luxembourg

Intelsat License LLC is a Delaware limited liability company that is wholly owned by Intelsat License Holdings LLC, also a Delaware limited liability company. Intelsat License Holdings LLC 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 Investment Holdings S.à r.l., a Luxembourg company. Intelsat Investment Holdings S.à r.l. is wholly owned by Intelsat Global Holdings S.A., a Luxembourg company. Each of these entities may be contacted at the following address: 4 rue Albert Borschette, L-1246 Luxembourg.

Intelsat Global Holding S.A.'s ownership was approved by the Commission as part of the *Intelsat-Serafina Order* and the recent Intelsat Pro Forma 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*”); *Intelsat Application for Pro Forma Transfer of Control*, File Nos. SAT-T/C-20110810-00160, SAT-T/C-20110811-00161, SES-T/C-20110811-00948, SES-T/C-20110812-00963 (granted Oct. 13, 2011), and 0004825139 (granted Oct. 19, 2011) (“*Intelsat Pro Forma*”). On May 16, 2012, the International Bureau granted an application to transfer control of Intelsat pursuant to a public offering of newly issued voting shares by Intelsat, subsequent voting share sales by current shareholders and possible private placements of newly issued voting shares. *In the Matter of Intelsat Global Holdings, S.A., Applications to Transfer Control of Intelsat Licenses and Authorizations from BC Partners Holdings Limited to Public Ownership*, Order, DA 12-768 (rel. May 16, 2012). This transaction has not yet been consummated.