

S2380 SAT-MOD-20120703-00110 IB2012001618
Intelsat License LLC
INTELSAT 9



*with conditions

File # SAT-MOD-20120703-00110
Call Sign S2380 Grant Date 05/21/14
(or other identifier)
Term Dates see
From 05/21/14 To: conditions
Approved: Stephen J. Duall

Approved by OMB
3060-0678

Stephen J. Duall
Chief, Satellite Policy Branch

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File Number: SAT-MOD-20120703-00110

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:
Application to Modify Authorization for Intelsat 9 (Call Sign S2380)

1-8. Legal Name of Applicant

Name:	Intelsat License 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		

Intelsat License LLC
IBFS File No. SAT-MOD-20120703-00110
Call Sign S2380

The application of Intelsat License LLC (Intelsat) to modify its authorization for the Intelsat 9 space station (Call Sign S2380), IBFS File No. SAT-MOD-20120703-00110, IS GRANTED.¹ Specifically, Intelsat is authorized to operate Intelsat 9 at the 43.1° W.L. orbital location to provide Fixed-Satellite Service (FSS) in the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 11.45-11.7 GHz (space-to-Earth), 11.7-12.2 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands. Intelsat is also authorized to conduct telemetry, tracking, and command functions necessary to maintain the Intelsat 9 space station at the 43.1° W.L. orbital location using the 11.7005 GHz (space-to-Earth), 11.7025 GHz (space-to-Earth), 14.4945 GHz (Earth-to-space), and 14.0005 GHz (Earth-to-space) frequency bands. Operations under this authorization must be in accordance with the terms and conditions contained in Intelsat's application and the Federal Communications Commission's rules not waived herein, and are subject to the following conditions:

1. Intelsat must prepare the necessary information, as 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 will be held responsible for all cost-recovery fees associated with ITU filings. We also note that 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 of other administrations. *See* 47 C.F.R. § 25.111(b).
2. Intelsat must maintain its space station within an east-west longitudinal station-keeping tolerance of $\pm 0.05^\circ$ of the 43.1° W.L. orbital location.
3. Intelsat must operate Intelsat 9 at the 43.1° W.L. orbital location in accordance with any existing or future coordination agreements for this location.
4. 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.

¹ *See Policy Branch Information; Accepted for Filing*, Report No. SAT-00883, File No. SAT-MOD-20120703-00110 (July 20, 2012). No comments were received. Intelsat 9 is currently authorized to operate at 58.0° W.L. *See PanAmSat Licensee Corp. Application for Authority to Construct, Launch and Operate an Expansion Band Satellite in its Separate International Communications Satellite System*, Order and Final Authorization, 13 FCC Rcd 4743 (1997), and *PanAmSat Licensee Corp. Application for Authority to Use Extended Ku-Band Frequencies for Domestic Service*, Order and Authorization, 20 FCC Rcd 14642 (2005)(*PanAmSat Extended Ku-Band Frequencies Order*). Intelsat was granted special temporary authority (STA) for 180 days, commencing November 1, 2012, to drift Intelsat 9 from the 58.0° W.L. orbital location to the 43.1° W.L. orbital location and to operate the space station at 43.1° W.L. *See* IBFS File No. SAT-STA-20120621-00103, granted October 26, 2012. This authority has been extended several times and Intelsat 9 is currently operating pursuant to a 60-day STA extension. *See* IBFS File No. SAT-STA-20140421-00040, granted April 24, 2014.

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5. Intelsat's request for waiver of footnote NG 52 of Section 2.106 is GRANTED,² as conditioned. Consistent with previous waivers granted to Intelsat 9,³ we find that, with respect to the domestic use of the 11.45-11.7 GHz band, waiver of footnote NG52 of Section 2.106 would not undermine the rule's purpose because receive-only earth stations are not capable of causing interference into fixed stations operating in the same frequency band. Furthermore, Intelsat cannot claim protection from interference caused to it by fixed stations operating in the 11.45-11.7 GHz frequency band.

a. Intelsat's space-to-Earth transmissions in the 11.45-11.7 GHz band that provide domestic service are on an unprotected, non-harmful interference basis relative to fixed stations and, as such, Intelsat must not cause harmful interference to, or claim protection from, fixed stations to which frequencies in the 11.45-11.7 GHz band have either been already assigned, or to which frequencies in the 11.45-11.7 GHz band may be assigned at a later date. Intelsat must terminate operations in the 11.45-11.7 GHz band upon notification that its operations are causing interference to fixed stations operating in this band, and must immediately inform the Commission, in writing, of such an event.

b. Intelsat is required to inform its customers, in writing, including end-users receiving service from resellers accessing capacity on the Intelsat 9 space station, that domestic service in the United States in the 11.45-11.70 GHz frequency band is being provided on an unprotected basis, and is therefore subject to interference from fixed stations authorized to operate in the 11.45-11.7 GHz frequency band.

6. Intelsat's use of the 11.45-11.7 GHz frequency 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. Operations of Intelsat 9 to or from the United States must comply with the power levels specified in Section 25.212 of the Commission's rules, 47 C.F.R. § 25.212, unless Intelsat coordinates any operations using power levels exceeding the levels in Section 25.212 with all potentially affected adjacent satellites within 6 degrees orbital separation of the 43.1° W.L. orbital location. Intelsat must inform the Commission of the power levels it has coordinated. In addition, Intelsat must inform all affected earth station operators that Section 25.220 of the

² Intelsat requests a waiver of footnote NG104 to the United States Table of Frequency Allocations and footnote 2 to Section 25.202(a)(1), which limited FSS operations in the 11.45-11.7 GHz frequency band to international-only services. 47 C.F.R. § 2.106, NG104; and footnote 2 to Section 25.202(a)(1) of the Commission's rules, 47 C.F.R. § 25.202(a)(1). The Commission renumbered footnote NG104 as new footnote NG52 and removed footnote 2 to Section 25.202(a)(1). *See Revisions to Parts 2 and 25 of the Commission's Rules to Govern the Use of Earth Stations Aboard Aircraft Communicating with Fixed-Satellite Service Geostationary-Orbit Space Stations Operating in the 10.95-11.2 GHz, 11.45-11.7 GHz, 11.7-12.2 GHz and 14.0-14.5 GHz Frequency Bands*, Notice of Proposed Rulemaking and Report and Order, 27 FCC Rcd 16510, 16520-21 ¶ 21 (2012) (*ESAA Order*). As a result of this Commission action, Intelsat's request for waiver of footnote 2 to Section 25.202(a)(1) is no longer necessary. Footnote NG52 retains the limitation of FSS operations in the 11.45-11.7 GHz band to international-only services, with an exception not relevant here.

³ *PanAmSat Extended Ku-Band Frequencies Order*, 20 FCC Rcd 14642.

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Commission's rules applies to operations that exceed the power levels specified in Section 25.212. In no event shall the uplink input power spectral density level of Intelsat 9's digital carriers in the 5925 – 6425 MHz band exceed -38.7 dBW/Hz. Further, in no event shall the downlink EIRP density level of Intelsat 9's digital carriers in the 3700-4200 MHz band exceed -32 dBW/Hz. In no event shall the uplink input power spectral density level of Intelsat 9's digital carriers in the 14.0-14.5 GHz band exceed -45 dBW/Hz. Finally, in no event shall the downlink power density level of Intelsat 9's digital carriers operating within the 11.45-12.2 GHz frequency band exceed -20.0 dBW/Hz.

8. Grant of this authorization is without prejudice to any determination that the Commission may make regarding Intelsat's pending application with respect to the replacement authority for 11.7-12.2 GHz, 12.5-12.7 GHz, and 14.0-14.5 GHz frequency bands at the 43.0° W.L. orbital location.⁴

9. This authorization does not extend the expiration date for the license for Intelsat 9, which is September 6, 2015.

10. Intelsat is afforded 30 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.

11. 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 of the Commission's rules or applications for reconsideration 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 public notice indicating that this action was taken.

 GRANTED † International Bureau *with conditions	File # <u>SAT-MOD-20120703-00110</u>
	Call Sign <u>S2380</u> Grant Date <u>05/21/14</u> (or other identifier)
	From <u>05/21/14</u> Term Dates <u>see</u> To: <u>conditions</u>
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

⁴ PanAmSat Licensee Corp., Petition for Specific Authority under Section 25.161(c), IBFS File No. SAT-MS-20101102-00232. The Petition was filed by PanAmSat Licensee Corp., then a wholly-owned subsidiary of Intelsat Holdings, Ltd. In December 2010, the Commission authorized various internal assignments and transfers that resulted in the majority of Intelsat's and its affiliated corporate entities, licenses, and authorizations, including those held by PanAmSat Licensee Corp., being held by a single subsidiary company, Intelsat License LLC. See IBFS File No. SAT-T/C-20101203-00253 (granted Dec. 23, 2010).

9-16. Name of Contact Representative

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

<p>17c. Is a fee submitted with this application?</p> <p><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).</p> <p><input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee</p> <p><input type="radio"/> Other (please explain):</p>	
<p>17d.</p> <p>Fee Classification BFY – Space Station Modification (Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station: S2380</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:</p> <p>(a) Date pending application was filed: (b) File number: SATMOD2005032500074</p>

TYPE OF SERVICE

<p>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:</p> <p><input checked="" type="checkbox"/> a. Fixed Satellite <input type="checkbox"/> b. Mobile Satellite <input type="checkbox"/> c. Radiodetermination Satellite <input type="checkbox"/> d. Earth Exploration Satellite <input type="checkbox"/> e. Direct to Home Fixed Satellite <input type="checkbox"/> f. Digital Audio Radio Service <input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one. <input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply. <input type="checkbox"/> Using U.S. licensed satellites <input type="checkbox"/> Using Non-U.S. licensed satellites</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities: <input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s). <input checked="" type="checkbox"/> a. C-Band (4/6 GHz) <input checked="" type="checkbox"/> b. Ku-Band (12/14 GHz) <input type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.) Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)</p>	

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 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 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?

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 License LLC, pursuant to Section 25.117 of the rules of the Federal Communications Commission, hereby seeks to modify the authorization for the Intelsat 9 (Call Sign S2380) satellite. Specifically, this modification seeks permanent authority to relocate Intelsat 9 to, and to operate the satellite at, 43.1 W.L.

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

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).

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