

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 702 (S2388)

File No. SAT-MOD- _____

APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR INTELSAT 702

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 702 (S2388) satellite. Specifically, this modification seeks permanent authority to relocate Intelsat 702 to, and to operate the satellite in inclined orbit at, 33.0° E.L. in order to provide C- and Ku-band capacity in Europe, Africa, and Asia.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 contained in the attached Engineering Statement, pursuant to Section 25.114 of the Commission’s rules.³

¹ Intelsat 702 began inclined orbit operations in 2011. *See* Letter from Susan H. Crandall, Intelsat, to Marlene H. Dortch, FCC, Call Sign S2388 (June 29, 2011).

² 47 C.F.R. § 25.117(c).

³ 47 C.F.R. § 25.114.

I. PROPOSED MODIFICATION

By this modification, Intelsat requests authority to relocate Intelsat 702 to, and operate the satellite at, 33.0° E.L. Intelsat 702 currently operates at 47.5° E.L., pursuant to the ITU filings of the German Administration.⁴ Intelsat 702 is being replaced at that location by Intelsat 709, which currently is drifting to 47.5° E.L.⁵ Upon completion of traffic transfer and receipt of Commission approval, Intelsat intends to commence relocating Intelsat 702 to 33.0° E.L. in mid-October 2012 and begin operating the satellite at that location in mid-December. At 33.0° E.L., Intelsat 702 will be collocated with Intelsat New Dawn, which currently operates at 32.8° E.L.⁶

During the drift of Intelsat 702 from 47.5° E.L. to 33.0° E.L., Intelsat will utilize only the following TT&C frequencies:

Uplink:

6173.7 MHz and 6176.3 MHz (LHCP)

Downlink:

3947.5 MHz and 3948.0 MHz (RHCP)

3952.5 MHz and 3952.0 MHz (RHCP)

Once on-station at 33.0° E.L., Intelsat will also operate the communications payload frequencies on Intelsat 702. Set forth below is a chart of the frequencies on Intelsat 702, as well as the frequencies currently being operated on Intelsat New Dawn at 32.8° E.L.:

⁴ See *Policy Branch Information; Actions Taken*, Report No. SAT-00866, File Nos. SAT-STA-20120329-00063 and SAT-STA-20120416-00068 (May 11, 2012) (Public Notice); *Policy Branch Information; Actions Taken*, Report No. SAT-00810, File No. SAT-STA-20110715-00129 (Sept. 23, 2011) (Public Notice).

⁵ See *Policy Branch Information; Actions Taken*, Report No. SAT-00875, File No. SAT-STA-20120426-00076 (June 15, 2012) (Public Notice); *Policy Branch Information; Actions Taken*, Public Notice, Report No. SAT-00869, File No. SAT-STA-20120409-00066 (May 18, 2012) (Public Notice).

⁶ See *Policy Branch Information; Actions Taken*, Report No. SAT-00769, File No. SAT-MOD-20101029-00228 (Apr. 1, 2011) (Public Notice).

Frequencies (in MHz)	Intelsat 702 ⁷	Intelsat New Dawn
5850 – 5925		√
5925 – 6425	√	√
6425 – 6500		√
3625 – 3700		√
3700 – 4200	√	√
14000 – 14500	√	√
10950 – 11200	√	√
11450 – 11700	√	√
12500 – 12750	√	

Intelsat 702 operates on all of the same frequencies as the Intelsat New Dawn satellite except for the 5850 – 5925 MHz, 6425 – 6500 MHz, and 3625 – 3700 MHz bands. In addition, Intelsat 702 operates in the 12500 – 12750 MHz band, which is not used at the nominal 33.0° E.L. location by Intelsat New Dawn.

II. PUBLIC INTEREST SHOWING

Grant of this modification application will serve the public interest by enabling Intelsat to further maximize the efficient use of its satellite fleet while bringing additional capacity to Europe, Africa, and Asia. As noted above, at 33.0° E.L., Intelsat 702 will be collocated with Intelsat New Dawn, which currently operates at 32.8° E.L.⁸

Moreover, 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. Intelsat will operate Intelsat 702 at 33.0° E.L. in

⁷ Although Intelsat 702 also has the capability to transmit in the frequency band 11.7-11.95 GHz, Intelsat does not intend to utilize this frequency band from the 33.0° E.L. orbital location.

⁸ See *Policy Branch Information; Actions Taken*, Report No. SAT-00769, File No. SAT-MOD-20101029-00228 (Apr. 1, 2011) (Public Notice).

accordance with Intelsat's existing coordination agreements regarding the location and the FCC's rules governing operations at the location vis-à-vis adjacent locations.

III. WAIVERS

As described in the attached Engineering Statement, Intelsat also requests that the Part 25 waivers originally granted to the Intelsat 702 spacecraft continue to apply at the 33.0° 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. REQUEST FOR GRANT WITHOUT MILESTONES OR A BOND

The International Bureau should grant this application without imposing milestones¹⁰ or a bond.¹¹ Because Intelsat 702 already is in-orbit and operating, all milestones for this satellite have been satisfied and Intelsat is not required to post a bond.¹² Indeed, the Commission has granted similar applications for in-orbit satellites without imposing milestones or a bond.¹³

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 Commc'ns Sys. in Geostationary Orbit*, Memorandum Opinion and Order and Authorization, 15 FCC Rcd 15,460, 15,529 (Appendix C) (2000) ("2000 Licensing Order"), *recon. denied*, Order on Reconsideration, 15 FCC Rcd 25,234 (2000).

¹⁰ 47 C.F.R. § 25.164(a).

¹¹ 47 C.F.R. § 25.165.

¹² See *Loral Skynet Network Services, Inc.*, 21 FCC Rcd 14,365 (Int'l Bur. 2006) ("Because Telstar 18 is in-orbit and operating, Loral is not required to post a bond.").

¹³ See *Application of PanAmSat Licensee Corp. to Modify Authorization for Galaxy 11*, File No. SAT-MOD-20080225-00051 (stamp grant July 22, 2008); *PanAmSat Licensee Corp., Application to Modify Authorization to Relocate Intelsat 5 to 169.0° E.L.*, File No. SAT-MOD-20080725-00150 (stamp grant Oct. 17, 2008). To the extent necessary, Intelsat requests waiver of Sections 25.164(a) and 25.165 of the rules, 47 C.F.R. §§ 25.164(a) and 25.165, for any possible milestone or bond associated with the operation of the Intelsat 702 satellite in the 12250 – 12750 MHz frequency band at 33.0° E.L. In this case, there is no risk of warehousing because the Intelsat 702 satellite is already in-orbit and will be able to provide service from the 33.0° E.L. location in a much more timely manner than the five years that would be allowed to an applicant intending to construct, launch, and operate a new satellite at this location.

V. INTELSAT ACCEPTS SECTION 316 PETITION CONDITIONS

Intelsat understands and accepts that its license to operate Intelsat 702 at 33.0° E.L., with the exception of the 12.5-12.75 GHz band frequencies, will be conditioned as follows:

(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.¹⁴

V. 10950-11200 MHZ, 11450-11700 MHZ AND 12500-12750 MHZ FREQUENCY BANDS

Intelsat understands that operations in the 10950-11200 MHz, 11450-11700 MHz and 12500-12750 MHz frequency bands are subject to certain limitations and obligations, which Intelsat accepts and will fulfill. Specifically, for operations in the 10950-11200 MHz 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 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).

¹⁴ See *Petition of the Int'l. Telecomms. Satellite Org. under Section 316 of the Commc'ns Act, as amended, IB 06-137, File No. SAT-MSC-20060710-00076*, Order of Modification, 23 FCC Rcd 2764, 2769-71 (¶¶11-13) (Int'l Bur. 2008).

For operations in the 11450-11700 MHz frequency band, Intelsat accepts the following condition:

- 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 steps to protect radio astronomy observations in the adjacent bands from harmful interference, consistent with footnote US74.

For operations in the 12500-12750 MHz frequency band, 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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October 1, 2012

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*.¹⁵ In December 2009 and October 2011, the Commission also approved *pro forma* changes in Intelsat’s foreign ownership.¹⁶ There have been no other material changes to Intelsat’s foreign ownership since the date of the *Intelsat-Serafina Order*.

¹⁵ *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).

¹⁶ *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); *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).

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”),¹⁷ based on the Bureau’s finding that PanAmSat had not satisfied applicable construction milestones.¹⁸ 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.

¹⁷ 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).

¹⁸ 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.