

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 5 (S2704)

File No. SAT-MOD- _____

**APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR INTELSAT 5**

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 5 satellite (Call Sign S2704). Specifically, Intelsat seeks to extend the license term for the Intelsat 5 satellite through December 31, 2020, which is the current projected end of service life taking into consideration the satellite’s planned relocation to 65.45° E.L. and commencement of inclined orbit operations.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 incorporates by reference the technical information previously provided regarding the operations of Intelsat 5.³ Consistent

¹ See Intelsat License LCC, Request for Special Temporary Authority, File No. SAT-STA-20120911-00147 (filed Sept. 11, 2012) (seeking authority for the relocation of Intelsat 5 to 65.45° E.L. commencing October 21, 2012 and noting that Intelsat 5 would begin inclined orbit operations upon commencement of the drift).

² 47 C.F.R. § 25.117(c).

³ The most recent technical information submitted to the Commission relating to Intelsat 5 is found in SAT-MOD-20080725-00150, which was granted on October 24, 2008. See *Policy*

with Section 1.62 of the Commission's rules, Intelsat will continue to operate the Intelsat 5 satellite pursuant to the terms and conditions of its expiring license, as modified by any decision with respect to the pending STA request,⁴ until such time as the Commission makes a final determination with respect to this request.

I. REQUEST FOR EXTENSION OF LICENSE TERM

Intelsat seeks to extend the license term for the Intelsat 5 satellite through December 31, 2020. The Intelsat 5 satellite was placed into service on October 25, 1997.⁵ Pursuant to Sections 25.121(a) and (d)(1) of the Commission's rules, the license term for Intelsat 5 will expire on October 25, 2012.⁶ That expiration date is well before the expected end of service life of the satellite. Taking into consideration the satellite's planned relocation to 65.45° E.L. and commencement of inclined orbit operations in October 2012, the current projected end of service life date is December 31, 2020.⁷ The current expiration date is also well in advance of the end of maneuver life of the Intelsat 5 satellite. Based on current projections, and assuming inclined orbit operation, Intelsat 5 should have sufficient fuel to continue maneuvers through 2033. The

Branch Information; Actions Taken, Report No. SAT-00561, File No. SAT-MOD-20080725-00150 (Oct. 24, 2008).

⁴ See *supra* n. 1

⁵ *PanAmSat Corp.*, Order and Authorization, 13 FCC Rcd 4743 (1997).

⁶ 47 C.F.R. §§ 25.121(a) & (d)(1).

⁷ The January 2014 projected end of service life specified in Intelsat's registration statement filed with the Securities Exchange Commission on Form F-1 for the Intelsat 5 satellite was based on operations as of June 30, 2012 and did not take into consideration the satellite's planned relocation and inclined orbit operation. See *Amendment No. 2 to Form F-1 Registration Statement*, Intelsat Global Holdings S.A. (Aug. 8, 2012) available at <http://www.sec.gov/Archives/edgar/data/1525773/000119312512343475/d204908df1a.htm>. Intelsat anticipates filing a future amendment to the Form F-1 at the Securities Exchange Commission that specifies December 2020 as the projected end of service life for the Intelsat 5 satellite.

FCC recently has extended a satellite license term based on projected end of service life rather than end of maneuver life.⁸ Accordingly, Intelsat herein is seeking an extension of the Intelsat 5 license term based on the satellite's current projected end of service life taking into consideration the planned relocation and commencement of inclined orbit operations. To the extent the satellite's projected end of service life is extended in the future, Intelsat will seek an additional license term extension.

II. PUBLIC INTEREST SHOWING

Grant of this modification to extend the license will serve the public interest by enabling customers to continue receiving service from Intelsat 5. Extending the license term will also promote the continued efficient use of orbital resources. Moreover, extending the license term of the Intelsat 5 satellite will not affect the satellite's post-mission disposal plan.⁹ As approved in in a 2008 modification application, Intelsat intends to dispose of the Intelsat 5 satellite by

⁸ *Application to Modify Authorization for Galaxy 25 to Extend the License Term*, File No. SAT-MOD-20120320-00057 (stamp grant 09/27/12); *Policy Branch Information; Satellite Space Applications Accepted for Filing*, Report No. SAT-00878, File No. SAT-MOD-20120320-00057 (June 29, 2012); *see also* Letter from Susan H. Crandall, Intelsat, to Marlene H. Dortch, FCC, File No. SAT-MOD-20120320-00057 (June 20, 2012).

⁹ The Commission already has approved a post-mission disposal plan for the Intelsat 5 satellite. *See Policy Branch Information; Actions Taken*, Report No. SAT-00561, File No. SAT-MOD-20080725-00150 (Oct. 24, 2008) (Public Notice). Intelsat notes that the Satellite Industry Association's pending request for blanket waiver of Section 25.283(c) incorrectly included the Intelsat 5 satellite. *Pleading Cycle Established for Comment on Satellite Industry Association's Blanket Waiver Request Concerning Relieving Satellite Pressure Vessels*, IB Docket No. 02-54, DA 10-2291 (Dec. 14, 2010) (Public Notice).

moving it to a minimum altitude of 150 kilometers above the geostationary arc.¹⁰ Intelsat has reserved 21.2 kilograms of fuel for this purpose.¹¹

III. 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 2, 2012

¹⁰ See *Policy Branch Information; Actions Taken*, Report No. SAT-00561, File No. SAT-MOD-20080725-00150 (Oct. 24, 2008) (Public Notice).

¹¹ The Commission has found that satellites launched prior to March 18, 2002, such as Intelsat 5, would be designated as grandfathered satellites not subject to a specific disposal altitude. See *Mitigation of Orbital Debris*, Second Report and Order, 19 FCC Rcd 11567, 11600-01 (2004).

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*.¹ In December 2009 and October 2011, the Commission also approved *pro forma* changes in Intelsat’s foreign ownership.² There have been no other material changes to Intelsat’s foreign ownership since the date of the *Intelsat-Serafina Order*.

¹ *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).

² *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”),³ based on the Bureau’s finding that PanAmSat had not satisfied applicable construction milestones.⁴ 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.

³ 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).

⁴ 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.