

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | |
| INTELSAT LICENSE LLC |) | File No. SAT-MOD-20121018-00184 |
| |) | Call Sign S2253 |
| Application to Modify Galaxy 11 Authorization |) | |

INFORMAL COMMENTS OF NEW SKIES SATELLITES B.V.

New Skies Satellites B.V. (“New Skies”) hereby submits these informal comments on the above-captioned Intelsat application to modify its license for Galaxy 11 to reassign the spacecraft to 44.8° W.L. (the “Galaxy 11 Modification”). Specifically, in the interests of clarity and consistency, New Skies asks the Commission to include in any grant of the Galaxy 11 Modification a condition requiring Intelsat to comply with the power levels specified in Section 25.212 of the Commission’s rules unless higher power levels have been coordinated with potentially affected systems.

Intelsat raised this issue recently in the context of the Commission’s grant of a modification to the terms of market access for New Skies’ NSS-806 satellite.¹ Intelsat noted that as issued, the NSS-806 grant did not include a typical provision regarding conformance with Section 25.212 absent coordination.² Intelsat observed that New Skies had represented it would operate consistent with Section 25.212³ and argued that in any case, the obligation to comply

¹ Request for Clarification or, Alternatively, Petition for Reconsideration of Intelsat License LLC, File No. SAT-MPL-20130906-00114 (filed Jan. 6, 2014).

² *Id.* at 2.

³ *Id.* at 2 & n.7 (citing *New Skies Satellites B.V. Modification Application of the Permitted Space Station List for NSS-806 at 47.5° W.L.*, File No. SAT-MPL-20130906-00114, Technical Appendix at 5).

with this requirement was “indisputable.”⁴ Nevertheless, Intelsat asked the Commission to incorporate additional language expressly embodying this mandate into the NSS-806 grant.⁵

In its response, New Skies consented to the supplemental language sought by Intelsat.⁶ New Skies concurred with Intelsat’s observation that the requested provision was part of the standard conditions routinely included in satellite licenses. Moreover, the requested language reflects the Commission’s fundamental two-degree spacing policy that applies to all space station authorizations granted by the Commission (even if such language were absent from the conditions).⁷

The same rationale applies here. Furthermore, as in the NSS-806 proceeding, Intelsat has expressly committed to complying with the power levels in Section 25.212 unless higher levels are coordinated.⁸ Accordingly, New Skies requests that any grant of the Galaxy 11 Modification include a condition specifying that:

Intelsat shall 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 44.8° W.L. orbital location. Intelsat shall 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 Commission’s rules, 47 C.F.R. § 25.220, applies to operations that exceed the power levels specified in Section 25.212.

⁴ *Id.* at 1.

⁵ *Id.* at 3.

⁶ Response of New Skies Satellites B.V., File No. SAT-MPL-20130906-00114 (filed Jan. 15, 2014).

⁷ *Id.* at 1-2.

⁸ *See* Galaxy 11 Modification, Engineering Statement at 8,

Adoption of this condition will ensure that any grant of the Galaxy 11

Modification conforms to Commission precedent.

Respectfully submitted,

NEW SKIES SATELLITES B.V.

By: /s/ Daniel C.H. Mah

Of Counsel

Karis A. Hastings

SatCom Law LLC

1317 F Street, N.W., Suite 400

Washington, D.C. 20004

Daniel C.H. Mah

Regulatory Counsel

for New Skies Satellites B.V.

1129 20th Street N.W., Suite 1000

Washington, D.C. 20036

Dated: January 31, 2014

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of January, 2014, a true copy of the foregoing “Informal Comments of New Skies Satellites B.V.” is being sent by first class, U.S.

Mail, postage paid, to the following:

Susan H. Crandall
Associate General Counsel
INTELSAT CORPORATION
3400 International Drive, N.W.
Washington, DC 20008

Jennifer D. Hindin
WILEY REIN LLP
1776 K Street, N.W.
Washington, DC 20006-2304

/s/

Karis A. Hastings