

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Galaxy 11 (S2253)

File No. SAT-MOD- _____

**APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR GALAXY 11**

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 Galaxy 11 satellite (call sign S2253). Specifically, this modification seeks authority to relocate Galaxy 11 to, and to operate the satellite at, 44.8° W.L. At this location, Galaxy 11 will provide service using the 13750-14500 MHz, 10950-11200 MHz, and 11700-12200 MHz frequency bands and will provide TT&C using the 14000.5 MHz, 14498.5 MHz, 11701 MHz, and 11702 MHz frequencies.

In accordance with the requirements of the Commission’s rules,¹ 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 in the attached Engineering Statement.²

¹ 47 C.F.R. § 25.117(c).

² 47 C.F.R. § 25.114.

I. PROPOSED MODIFICATION

By this modification, Intelsat requests authority to relocate Galaxy 11 to, and operate the satellite at, 44.8° W.L. Galaxy 11 currently is authorized to operate at 304.5° E.L. (55.5° W.L.).³ Galaxy 11 is being replaced at 304.5° E.L. by the Intelsat 27 satellite (call sign S2827), scheduled to be launched in January 2013.⁴ Upon completion of traffic transfer and receipt of Commission approval, Intelsat expects to begin drifting Galaxy 11 in May 2013 and have the satellite on station at 44.8° W.L. by June 2013. At 44.8° W.L., Galaxy 11 will be nominally collocated with Intelsat 14 (call sign S2785), which is currently authorized to operate at 45.0° W.L.⁵

During the drift of Galaxy 11, Intelsat will utilize only the satellite's TT&C frequencies.

The specific TT&C frequencies are as follows:

Uplink:

14000.5 (LHCP)
14498.5 (H, V)

Downlink:

11701 (V, LHCP)
11702 (V, LHCP)

³ See *Application of PanAmSat Licensee Corp. to Modify Authorization for Galaxy 11*, File No. SAT-MOD-20101102-00229 (filed Nov. 2, 2010; stamp grant Mar. 8, 2011; corrected Apr. 7, 2011).

⁴ See *Application for Authority to Launch and Operate Intelsat 27, a Replacement Satellite With New Frequencies, at 55.5° W.L.*, File Nos. SAT-LOA-20110610-00105 and SAT-AMD-20111111-00215 (stamp grant Oct. 9, 2012).

⁵ See *Application for Authority to Launch and Operate Intelsat 14, a Replacement Satellite, at 45.0° W.L.*, File No. SAT-RPL-20090123-00007 (filed Jan. 23, 2009; stamp grant Oct. 1, 2009).

Once located at 44.8° W.L., Intelsat will operate the satellite's communications frequencies as set forth in the chart below. The chart also lists the frequencies that are currently used by the Intelsat 14 satellite at 45.0° W.L.

Frequency Range	Galaxy 11	Intelsat 14
3700-4200 MHz		X
5925-6425 MHz		X
10950-11200 MHz	X	
11450-11700 MHz		X
11700-11950 MHz	X	X
11950-12200 MHz	X	
13750-14000 MHz	X	
14000-14250 MHz	X	X
14250-14500 MHz	X	X

The Galaxy 11 satellite also includes the 3700-4200 MHz and 5925-6425 MHz frequency bands. Intelsat is not seeking authority to operate Galaxy 11 in these bands at the 44.8° W.L. orbital location.

II. PUBLIC INTEREST SHOWING

Grant of this modification application will serve the public interest by enabling Intelsat to expand customer service at the nominal 45.0° W.L. orbital location. Once on station, Galaxy 11 will be nominally collocated with Intelsat 14. Thus, grant of this modification application will enable Intelsat to provide additional capacity to the region currently served by the Intelsat 14 satellite.

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. The nominal 45.0° W.L. orbital location has been assigned to Intelsat,⁶ and Intelsat will operate Galaxy 11 at 44.8° W.L. in accordance with Intelsat's existing coordination agreements and the FCC's rules governing operations at that location vis-à-vis adjacent locations.

III. REQUESTS FOR WAIVERS

Intelsat requests that the waiver of Sections 25.114(d)(14)(ii) and 25.283(c) previously granted to the Galaxy 11 spacecraft for the 304.5° E.L. orbital location continue to apply at the 44.8° W.L. orbital location.⁷ These rules require that spacecraft are able to vent all pressurized systems at end of life.

In addition, Intelsat requests waiver of the following technical rules:

(1) Footnote 2 of Section 25.202(a)(1) and Footnote NG104 of the U.S. Table of Allocations, which limit the use of the 10950-11200 MHz frequency band by the non-federal fixed satellite service in the geostationary orbit to international systems only.

(2) Section 25.114(d)(3), which requires submission of the coverage map of the satellite's beam pattern in a certain format.

⁶ See *Application for Authority to Launch and Operate Intelsat 14, a Replacement Satellite, at 45.0° W.L.*, File No. SAT-RPL-20090123-00007 (filed Jan. 23, 2009; stamp grant Oct. 1, 2009).

⁷ *Id.*

Under Section 1.3 of the Commission’s rules, the Commission has authority to waive its rules “for good cause shown.”⁸ Good cause exists if “special circumstances warrant a deviation from the general rule and such deviation will serve the public interest” better than adherence to the general rule.⁹ In determining whether waiver is appropriate, the Commission should “take into account considerations of hardship, equity, or more effective implementation of overall policy.”¹⁰ As shown below, there is good cause for each of the requested technical waivers.

A. Request for Waiver of Section 25.202(a)(1) and Footnote NG104 of the U.S. Table of Allocations

Intelsat requests waiver of footnote 2 to Section 25.202(a)(1) and footnote NG104 of the U.S. Table of Allocations, which restrict the use of the 10950-11200 MHz band by the non-federal Fixed-Satellite Service (“FSS”) in the geostationary orbit to international systems only.¹¹ Good cause exists to waive the international only requirements for the 10950-11200 MHz frequency band. The purpose of NG104 and footnote 2 of Section 25.202(a)(1) is to limit the number of the FSS earth stations with which the co-primary Fixed Service would need to coordinate.¹² Intelsat will provide services in the 10950-11200 MHz frequency band only on a

⁸ 47 C.F.R. § 1.3; *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

⁹ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

¹⁰ *WAIT Radio*, 418 F.2d at 1159.

¹¹ *See* 47 C.F.R. §§ 25.202(a)(1), fn. 2 and 2.106, fn. NG104.

¹² *See Satellite Services*, 26 RR 2d 1257, 1263-65 (1973). *See also EchoStar KuX Corporation Application for Authority to Construct, Launch and Operate a Geostationary Satellite Using the Extended Ku-band Frequencies in the Fixed-Satellite Service at the 83° W.L. Orbital Location*, Order and Authorization, DA 04-3162, 9 (Int’l Bur., Sept. 30, 2004) (“EchoStar 83° Waiver”).

non-interference/non-protected basis, and therefore will not need to coordinate with Fixed Service stations.

B. Request for Waiver of Section 25.114(d)(3)

Intelsat also requests a waiver of Section 25.114(d)(3), which requires that the space station antenna gain contour(s) for each transmit and receive antenna beam be plotted on an area map at 2 dB intervals down to 10 dB below peak value of the parameter and at 5 dB intervals between 10 dB and 20 dB below peak values. As explained more fully on page 3 of the attached Engineering Statement, Intelsat requests a waiver of Section 25.114(d)(3) with respect to Galaxy 11's TT&C bicone and pipe antennas, shown in exhibits 2R, 2S, 2U and 2V, as well as those associated with the ULPC global horn antenna, shown in Exhibits 2X and 2Y. The satellite manufacturer does not provide the beam patterns in the required form. Intelsat provides a descriptive characterization of these beams on pages 2 and 3 of the Engineering Statement. To the extent necessary, there is good cause to waive Section 25.114(d)(3) because in this case Intelsat's descriptive characterization, coupled with the beam patterns provided by the manufacturer, fulfill the informational requirements of Section 25.114(d)(3). In addition, granting the requested waiver would be consistent with precedent. The FCC has previously waived Section 25.114(d)(3) in similar circumstances.¹³

¹³ See *Application of PanAmSat Licensee Corp. to Modify Authorization for Galaxy 11*, File No. SAT-MOD-20101102-00229 (filed Nov. 2, 2010; stamp grant Mar. 8, 2011; corrected Apr. 7, 2011); *Intelsat North America LLC Application for Authority to Launch and Operate Intelsat 15, a Ku-band Replacement Satellite at 85.15° E.L.*, File No. SAT-LOA-20090410-00043 and SAT-AMD-20090528-00059 (stamp grant with conditions Nov. 25, 2009).

IV. REQUEST FOR GRANT WITHOUT MILESTONES OR A BOND

The International Bureau should grant this application without imposing milestones¹⁴ or a bond.¹⁵ Because Galaxy 11 already is in-orbit and operating, all milestones for this satellite have been satisfied and Intelsat is not required to post a bond.¹⁶ Indeed, the Commission has granted similar applications for in-orbit satellites without imposing milestones or a bond.¹⁷

Alternatively, out of an abundance of caution and to the extent necessary, Intelsat requests a waiver of Sections 25.164(a) and 25.165 of the rules for any possible milestone or bond associated with the operation of the 13750-14000 MHz, 10950-11200 MHz, and 11950-12200 MHz frequency bands. Waiver is appropriate in this case because there is no concern about warehousing. The Galaxy 11 satellite is already in-orbit and will be able to provide service in these additional frequencies from the 44.8° W.L. location more quickly than the five years that would be allowed to an applicant intending to construct, launch, and operate a new satellite at this location. Moreover, there is no realistic risk of another operator seeking a license for these limited frequencies at this location given that the C-band and the remainder of the Ku-band already are licensed to Intelsat at the nominal 45.0° W.L. orbital location.

¹⁴ 47 C.F.R. § 25.164(a).

¹⁵ 47 C.F.R. § 25.165.

¹⁶ 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.").

¹⁷ See *Application of PanAmSat Licensee Corp. to Modify Authorization for Galaxy 11*, File No. SAT-MOD-20080225-00051 (stamp grant Jul. 22, 2008) (granting authority to operate in new frequencies at 32.80° E.L. without imposition of a bond); *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) (granting authority to operate in new frequencies at 169.0° E.L. without imposition of a bond); *PanAmSat Licensee Corp., Application to Modify Authorization for Intelsat 1R (S2368)*, File No. SAT-MOD-20090720-00073 (stamp grant Aug. 5, 2010) (granting authority to operate in new frequencies at 50.0° W.L. without imposition of a bond).

V. ITU COST RECOVERY

Intelsat is aware that processing fees are currently charged by the ITU for satellite filings, and that Commission applicants are responsible for any and all fees charged by the ITU.¹⁸

Intelsat is aware of and unconditionally accepts this requirement and responsibility to pay any ITU cost recovery fees associated with the ITU filings that the Commission makes on behalf of Intelsat for use of Ku-band frequencies and extended Ku-band frequencies at the 44.8° W.L. orbital location, as well as any ITU filings associated with any satellite system for which Intelsat may request authorization at a later date.

VI. 10950-11200 MHZ FREQUENCY BANDS

Intelsat understands that operations in the 10950-11200 MHz frequency band are subject to certain limitations and obligations, which Intelsat accepts and will fulfill. Specifically, for operations in the 10950-11200 MHz frequency band, Intelsat accepts the following conditions:

- Operations in the 10950-11200 MHz 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.

¹⁸ See *Implementation of ITU Cost Recovery Charges for Satellite Network Filings*, Public Notice, DA 01-2435 (Oct. 19, 2001).

VII. 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*.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 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). 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.