S2400

SAT-MOD-20130513-00068

IB2013001016

Intelsat License LLC **INTELSAT 701** 

GRANTED\* International Bureau +with conditions

File # SAT- MOD - 20130513-00068

Call Sign <u>S2400</u> Grant Date <u>06/27/14</u>

(or other identifier)

Term Dates See To: conditions

Approved by OMB 3060-0678

From 06/27/14

Approved:

Chief, Satellite Policy Branch

Date & Time Filed: May 13 2013 6:08:27:690PM

File Number: SAT-MOD-20130513-00068

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 701 (S2400)

1-8. Legal Name of Applicant

Name:

Intelsat License LLC

**Phone Number:** 

202-944-7848

**DBA** 

Fax Number:

202-944-7870

Name:

**Street:** 

c/o Intelsat Corporation

E-Mail:

susan.crandall@intelsat.com

3400 International Drive, N.W.

City:

Washington

State:

DC

Country:

USA

Zipcode:

20008

-3006

Attention:

Susan H. Crandall

The application of Intelsat License LLC (Intelsat), IBFS File No. SAT-MOD-20130513-00068, to modify the authorization for its Intelsat 701 space station (Call Sign S2400) is GRANTED. Specifically, Intelsat is authorized to operate Intelsat 701 in inclined orbit mode<sup>1</sup> at the 29.5° W.L. orbital location to provide Fixed-Satellite Service in the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 10.95-11.2 GHz (space-to-Earth), 11.45-11.7 GHz (space-to-Earth), 11.7-11.95 GHz (space-to-Earth), 12.5-12.75 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands.<sup>2</sup> Additionally, Intelsat is authorized to perform Telemetry, Tracking, and Command (TT&C) operations necessary to maintain the Intelsat 701 space station at the 29.5° W.L. orbital location using the following center frequencies: 6173.7 MHz and 6176.3 MHz (Earth-to-space); 3947.5 MHz, 3948.0 MHz, 3952.5 MHz, and 3952.0 MHz (space-to-Earth). Operations under this authorization must be in accordance with the terms and conditions contained in Intelsat's application, 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 shall be held responsible for all cost recovery fees associated with these ITU filings. 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, coordination agreements are successfully completed. 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. 47 C.F.R. § 25.111(b).
  - 2. While at the 29.5° W.L. orbital location, Intelsat must maintain the Intelsat 701

<sup>&</sup>lt;sup>1</sup> On December 1, 2011, Intelsat notified the Commission of the commencement of inclined orbit operations for Intelsat 701. Letter from Susan H. Crandall, Intelsat Corp., to Marlene H. Dortch, FCC (dated Dec. 1, 2011). The last north-south station-keeping maneuver occurred on November 9, 2011. *Id.* 

<sup>&</sup>lt;sup>2</sup> Intelsat was previously authorized to operate Intelsat 701 at the 180°W.L. orbital location. IBFS File No. SAT–MOD–20050610–00122 (granted Sept. 30, 2005). In 2011, pursuant to an STA, Intelsat began to drift Intelsat 701 from the 180° E.L. orbital location to the 72.1° E.L. orbital location. IBFS File No. SAT-STA-20111114-00218. During the drift, however, Intelsat requested an STA to stop at Intelsat 701 at 157.0° E.L. orbital location and to operate at that orbital location. IBFS File No. SAT-STA-20111213-00238 (commencing operations Dec. 20, 2011). Intelsat 701 remained at 157.0° E.L. orbital location through March 12, 2013. IBFS File Nos. SAT-STA-20120113-00006, SAT-STA-20120209-00015, SAT-STA-20120312-00039, SAT-STA-20120413-00067, SAT-STA-20120511-00084, SAT-STA-20120612-00096, SAT-STA-20120710-00112, SAT-STA-20120809-00126, SAT-STA-20120910-00145, SAT-STA-20121008-00180, SAT-STA-20121107-00194, SAT-STA-20121210-00212, SAT-STA-20130107-00005, and SAT-STA-20130204-00014. In February 2013, Intelsat relocated Intelsat 701 from the 157.0° E.L. orbital location to the 29.5° W.L. orbital location. IBFS File Nos. SAT-STA-20130204-00015, SAT-STA-20130312-00029; SAT-STA-20121211-00216. On October 24, 2013, Intelsat 701 was granted an STA to provide FSS in inclined orbit at the 29.5° W.L. orbital location, IBFS File No. SAT-STA-20130925-00116, which was subsequently extended, IBFS File Nos. SAT-STA-20131125-00140, SAT-STA-20140123-00008, SAT-STA-20140326-00035, and SAT-STA-20140516-00053.

space station with an east/west longitudinal station-keeping tolerance of +/- 0.05 degrees.

- 3. 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.
- 4. Intelsat must operate the Intelsat 701 space station at the 29.5° W.L. orbital location in compliance with all existing or future coordination agreements for that location.
- 5. Intelsat's request that the Part 25 waivers originally granted to the Intelsat 701 spacecraft, Sections 25.202(g), 25.210(a)(1), 25.210(a)(3), 25.210(i) and 25.211(a) of the Commission's rules, 47 C.F.R §§ 25.202(g), 25.210(a)(1), 25.210(a)(3), 25.210(i) and 25.211(a), continue to apply at the 29.5° W.L. orbital location, is granted, subject to the conditions imposed in the original grant.<sup>3</sup>
- 6. Intelsat's request for waiver of footnote NG 52 of Section 2.106 is GRANTED, <sup>4</sup> as conditioned. Consistent with previous waivers granted to Intelsat, <sup>5</sup> we find that, with respect to the domestic use of the 10.95-11.20 GHz and 11.45-11.70 GHz bands, 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 10.95-11.20 GHz and 11.45-11.70 GHz frequency bands.
  - a) Intelsat's space-to-Earth transmissions in the 10.95-11.20 GHz and 11.45-11.70 GHz bands 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 10.95-11.20 GHz and 11.45-11.70 GHz bands have either been already assigned, or to which frequencies in the 10.95-11.20 GHz and 11.45-11.70 GHz bands may be assigned at a later date. Intelsat must terminate operations in the 10.95-11.20 GHz and 11.45-11.70 GHz bands upon notification that its operations are causing interference to fixed stations operating in this band, and must

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<sup>&</sup>lt;sup>3</sup> Intelsat LLC, Memorandum Opinion Order and Authorization, 15 FCC Rcd 15460 (2000).

<sup>&</sup>lt;sup>4</sup> 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 10.95–11.2 GHz and 11.45-11.7 GHz frequency bands 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 10.95–11.2 GHz and 11.45-11.7 GHz frequency bands to international-only services, with an exception not relevant here.

<sup>&</sup>lt;sup>5</sup> PanAmSat Licensee Corp. Application for Authority to Use Extended Ku-Band Frequencies for Domestic Service, Order and Authorization, 20 FCC Rcd 14642 (2005).

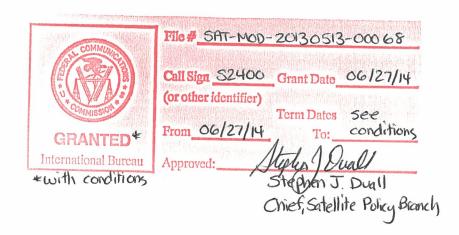
immediately inform the Commission, in writing, of such an event.

- b) Intelsat is required to inform its customers, in writing, including end-users receiving service from resellers accessing capacity on the Intelsat 701 space station, that domestic service in the United States in the 10.95-11.20 GHz and 11.45-11.70 GHz bands is being provided on an unprotected basis, and is therefore subject to interference from fixed stations authorized to operate in the 10.95-11.20 GHz and 11.45-11.70 GHz frequency bands.
- 7. Intelsat's use of the 10.95-11.2 GHz and 11.45-11.7 GHz frequency bands 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.
- 8. Intelsat 701 is not authorized to provide FSS in the 12.5-12.70 GHz frequency band in International Telecommunication Union (ITU) Region 2.
- 9. Intelsat 701 is not authorized to provide FSS in the 12.70-12.75 GHz frequency band in the space-to-Earth direction in ITU Region 2.6
- 10. Intelsat must comply with the power levels specified in Section 25.212, 47 C.F.R. § 25.212, of the Commission's rules unless it 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 29.5° 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 Commission's rules applies to operations that exceed the power levels specified in Section 25.212. Regardless of Intelsat's coordination agreements, in no event shall: (1) the uplink power density of the Intelsat 701 digital carriers operating in the 5925–6425 MHz and 14000–14500 MHz bands exceed -38.7 dBW/Hz and -45 dBW/Hz, respectively; (2) the downlink EIRP density of the Intelsat 701 digital carriers operating in the 3700-4200 MHz band exceed -32 dBW/Hz; (3) the downlink EIRP density of the Intelsat 701 digital carriers operating in the 10.95–11.2 GHz, 11.45–11.7 GHz, and 12.5–12.75 GHz bands exceed -20 dBW/Hz.
- 11. Intelsat's operation of Intelsat 701 at the 29.5° W.L. orbital location in the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 10.95-11.2 GHz (space-to-Earth), 11.45-11.70 GHz (space-to-Earth), 11.7-11.95 GHz (space-to-Earth), 12.5-12.75 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands is subject to the following conditions:
  - a) Intelsat shall remain a signatory to the Public Services Agreement between Intelsat and the International Telecommunications Satellite Organization (ITSO)

<sup>&</sup>lt;sup>6</sup> In its application, Intelsat states: "For operations in the 12500-12750 MHz frequency band, Intelsat accepts the following condition: Use of the 12500-12750 MHz frequency band is not permitted for fixed-satellite service in the space-to-Earth direction in Region 2." Application Narrative at 5-6.

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.
- 12. Nothing in this authorization extends the license term for this space station, Call Sign S2400, which expires on July 18, 2016.
- 13. Intelsat is afforded 30 days from the date of release of this action to decline this grant of market access as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.
- 14. 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.



9-16. Name of Contact Representative

Name:

Intelsat License LLC

**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: Susan H. Crandall

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.

al. 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

**6** b3. Amendment to a Pending Application

**6** 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

o b13. Amendment to a Pending Database Entry Application

o b14. Modification of Database Entry

17c. Is a fee submitted with this applicate If Yes, complete and attach FCC Form Governmental Entity Noncomme Other(please explain):	159. If No, indicate reason for fee exemption	n (see 47 C.F.R.Section 1.1114).
17d.		
Fee Classification BFY – Space Station M	Iodification(Geostationary)	
18. If this filing is in reference to an existing station, enter:	19. If this filing is an amendment to a pendin modification please enter only the file number	g application enter both fields, if this filing is a
(a) Call sign of station:	(a) Date pending application was filed:	(b) File number:
S2400		SATMOD2005061000122

# TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide	e or use the following type(s) of service(s): Select all that apply:
a. Fixed Satellite	
b. Mobile Satellite	
c. Radiodetermination Satellite	
d. Earth Exploration Satellite	
e. Direct to Home Fixed Satellite	
f. Digital Audio Radio Service	
g. Other (please specify)	
<del></del>	
21. STATUS: Choose the button next to the applicable status. Choose	22. If earth station applicant, check all that apply.
only one.	Using U.S. licensed satellites
O Common Carrier  O Non-Common Carrier	Using Non-U.S. licensed satellites
facilities:	ervice, see instructions regarding Sec. 214 filings. Choose one. Are these
O Connected to a Public Switched Network Not connected to a	Public Switched Network N/A
24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all a	pplicable frequency band(s).
<b>a</b> . C–Band (4/6 GHz) <b>b</b> . Ku–Band (12/14 GHz)	
c.Other (Please specify upper and lower frequencies in MHz.)	
Frequency Lower: Frequency Upper: (Please specify addition	nal frequencies in an attachment)

## TYPE OF STATION

25. CLASS OF STATION: Choose the button no	ext to the class of station that applies. Choose only one.	
o a. Fixed Earth Station		
o b. Temporary–Fixed Earth Station		
o c. 12/14 GHz VSAT Network		
o d. Mobile Earth Station		
e. Geostationary Space Station		
of. Non-Geostationary Space Station		
g. Other (please specify)		
26. TYPE OF EARTH STATION FACILITY:		
· • • • • • • • • • • • • • • • • • • •	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 & Double of Communication (satellites & Doub
k — authorization for facilities for which environmental assessment and
radiation hazard reporting is required
1 — 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.	0	Yes	•	No		
ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeron aeronautical fixed radio station services are not required to respond to Items 30–34.	autic	al en	rou	te or		
29. Is the applicant a foreign government or the representative of any foreign government?	0	Yes	•	No		
30. Is the applicant an alien or the representative of an alien?	0	Yes	•	No	0	N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	0	Yes	•	No	0	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?	0	Yes	•	No	0	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 C	) <sup>No</sup>	o O 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	S	O No
	Engi	neering	ξState	ement
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 explination of circumstances.		• Yes	<u></u>	O 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 explination of circumstances.	O Yes	<b>⊚</b> 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	O Yes	<b>⊚</b> 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 exhinit, an explanation of the circumstances.	O Yes	<b>⊚</b> 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.	<b>⊚</b> Yes	O 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.	O Yes	<b>⊚</b> No
42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, we coordinated or is in the process of coordinating the space station?	/hat administr	ration has

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 701 (Call Sign S2400) satellite. Specifically, this modification application seeks permanent authority to operate Intelsat 701 at 29.5 W.L. (330.5 E.L.) in inclined orbit mode in

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.	<b>●</b> 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.	O <sub>B</sub>
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.	<b>o</b> 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.

46. Title of Person Signing
46. Title of Person Signing Asst. General Counsel, Intelsat Corporation
•

### FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104–13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

### 43. Description. (Summarize the nature of the application and the services to be provided).

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 701 (Call Sign S2400) satellite. Specifically, this modification application seeks permanent authority to operate Intelsat 701 at 29.5 W.L. (330.5 E.L.) in inclined orbit mode in order to ensure service continuity at 29.5 W.L.