

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 701 (S2400)

File No. SAT-MOD- _____

APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR INTELSAT 701

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 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., as explained more fully below.

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, as contained in the attached Engineering Statement, pursuant to Section 25.114 of the Commission’s rules.²

¹ 47 C.F.R. § 25.117(c).

² 47 C.F.R. § 25.114.

I. PROPOSED MODIFICATION

Intelsat 701 currently is drifting from 157.0° E.L. to 29.5° W.L. pursuant to Special Temporary Authority.³ By this modification, Intelsat requests permanent authority to relocate the Intelsat 701 satellite to 29.5° W.L., where it will operate in inclined orbit mode.

During the drift of Intelsat 701 from 157.0° E.L. to 29.5° W.L., Intelsat will utilize only the satellite's TT&C frequencies. The specific TT&C frequencies are as follows:

Uplink:

6173.7 MHz (LHCP)
6176.3 MHz (LHCP)

Downlink:

3947.5 MHz (RHCP)
3948.0 MHz (RHCP)
3952.5 MHz (RHCP)
3952.0 MHz (RHCP)

Once located at 29.5° W.L., Intelsat also will operate the satellite's communications frequencies. Set forth below is a comparison of the frequencies on Intelsat 701, as well as the frequencies currently being operated on Intelsat 801 at 29.5° W.L.:

³ See *Policy Branch Information; Actions Taken*, Report No. SAT-00941, File Nos. SAT-STA-20121211-00216 and SAT-STA-20130312-00029 (filed Mar. 12, 2013); *Policy Branch Information; Actions Taken*, Report No. SAT-00932, File No. SAT-STA-20130204-00015 (Feb. 22, 2013) (Public Notice).

Frequency Band (MHz)	Intelsat 701	Intelsat 801
5850 – 5925		√
5925 – 6425	√	√
3625 – 3700		√
3700 – 4200	√	√
14000 – 14500	√	√
10950 – 11200	√	√
11450 – 11700	√	√
11700 – 11950	√	√
12500 – 12750	√	√

Intelsat 701 operates on all of the same frequencies as the Intelsat 801 satellite except for the 5850-5925 and 3625-3700 MHz bands.

II. PUBLIC INTEREST SHOWING

Grant of this modification application will serve the public interest by enabling Intelsat to redeploy Intelsat 701 in order to ensure continuity of service at 29.5° W.L., where Intelsat 801 (call sign S2391) currently operates. Intelsat 801 is expected to be de-orbited in late 2013.

Given the failure of the Proton rocket in August 2012, the launch of Intelsat 23 (call sign S2831), which replaced Intelsat 707 (call sign S2398) at 53.0° W.L., was delayed. As a result, Intelsat 707 did not have sufficient fuel to be redeployed to 29.5° W.L. as originally planned.⁴

Accordingly, Intelsat decided to redeploy Intelsat 701, which previously operated at 157.0° E.L., to 29.5° W.L. in order to ensure service continuity at the latter location. Intelsat 706 is currently being operated at 157° E.L. in order to ensure continuity of service at that location.⁵

⁴ See Letter from Susan H. Crandall to Marlene H. Dortch, File No. SAT-STA-20121126-00202 (filed Jan. 22, 2013) (notifying the FCC of the successful de-orbit of Intelsat 707).

⁵ See *Intelsat License LLC Request for Extension of Special Temporary Authority*, File No. SAT-STA-20130408-00057 (filed Apr. 8, 2013); *Policy Branch Information; Actions Taken*, Report No. SAT-00931, File No. SAT-STA-20130206-00017 (Feb. 15, 2013) (Public Notice); *Policy Branch Information; Actions Taken*, Report No. SAT-00928, File No. SAT-STA-20130107-00004 (Feb. 1, 2013) (Public Notice); *Policy Branch Information; Actions Taken*, Report No. SAT-00921, File No. SAT-STA-20121210-00214 (Dec. 21, 2012) (Public Notice); *Actions Taken*, Report No. SAT-00914, File No. SAT-STA-20121107-00193 (Nov. 30, 2012) (Public Notice); *Policy Branch Information; Actions Taken*, Report No. SAT-00909, File No.

Moreover, grant of this modification application will not result in increased risk of harmful interference. Intelsat will operate Intelsat 701 at 29.5° W.L. in 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 requests that the Part 25 waivers originally granted to the Intelsat 701 spacecraft continue to apply at the 29.5° W.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.⁶ In addition, Intelsat requests that the waiver of the provisions of Section 25.202(a)(1) of the FCC's rules and footnote NG 104 of the U.S. Table of Frequency Allocation, to permit Intelsat to provide domestic U.S. service in the 10950 – 11200 MHz and 11450 – 11700 MHz frequency bands on a non-interference, non-protected basis, previously grant to the Intelsat 701 spacecraft continues to apply at the 29.5° W.L. orbital location.⁷

SAT-STA-20121008-00179 (Nov. 2, 2012) (Public Notice); *Policy Branch Information; Actions Taken*, Report No. SAT-00902, File No. SAT-STA-20120910-00146 (Public Notice) (Sep. 28, 2012); *Policy Branch Information; Actions Taken*, Report No. SAT-00890, File No. SAT-STA-20120809-00126 (Public Notice) (Aug. 17, 2012) (Public Notice); *Policy Branch Information; Actions Taken*, Report No. SAT-00890, File No. SAT-STA-20120809-00126 (Aug. 17, 2012) (Public Notice). Intelsat has a pending permanent license modification application seeking operational authority for Intelsat 706 at 157.0° E.L. *See Intelsat License LLC Application to Modify License*, File No. SAT-MOD-20121026-00188 (filed October 26, 2012).

⁶ *See Applications of Intelsat LLC for Authority to Operate and Further Construct, Launch, and Operate C-band and Ku-band Satellites, Memorandum Opinion, Order and Authorization*, 15 FCC Rcd 15460, 15,537 (Appendix C) (2000), *recon. denied*, 15 FCC Rcd 25234 (2000).

⁷ *See Policy Branch Information; Actions Taken*, Report No. SAT-00324, File No. SAT-MOD-20050610-00122 (Public Notice) (Oct. 7, 2005) (Public Notice).

IV. ORBITAL DEBRIS STATEMENT

Intelsat has assessed and limited the probability of the space station becoming a source of debris as a result of collision with large debris or other operational space stations. Except briefly while collocated with Intelsat 801, Intelsat 701 will not be located at the same orbital location as another satellite or at an orbital location that has an overlapping station-keeping volume with another satellite. Further, Intelsat is not aware of any other FCC-licensed system, or any other system applied for and under consideration by the FCC, having an overlapping station-keeping volume with Intelsat 701 at 29.5° W.L. Finally, Intelsat is not aware of any system with an overlapping station-keeping volume with Intelsat 701 at 29.5° W.L. that is the subject of an ITU filing and that is either in orbit or progressing toward launch.

V. INTELSAT ACCEPTS SECTION 316 PETITION CONDITIONS

Intelsat understands and accepts that its license to operate Intelsat 701 at 29.5° W.L. 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.⁸

VI. 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

⁸ 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-MS-20060710-00076*, Order of Modification, 23 FCC Rcd 2764, 2769-71 (¶¶11-13) (Int’l Bur. 2008).

will fulfill. Specifically, for operations in the 10950-11200 MHz and 11450-11700 MHz frequency bands, Intelsat accepts the following condition:

- Intelsat's use of the 10950-11200 MHz (space-to-Earth) and 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 12500-12750 MHz frequency band is not permitted for fixed-satellite service in the space-to-Earth direction in Region 2.

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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May 13, 2013

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
Michelle Bryan, Secretary
Simon Van De Weg, Director, Finance

Board of Managers:

Michael McDonnell
Flavien Bachabi
Michelle Bryan

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 Investments S.A., a Luxembourg company. Intelsat Investments 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 S.A., a Luxembourg company. Each of these entities may be contacted at the following address: 4 rue Albert Borschette, L-1246 Luxembourg.

Intelsat 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.