

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

In the Matter of )  
 )  
SES AMERICOM, INC. ) File No. SAT-MOD-20140730-00089  
 )  
Application for Modification of AMC-1 )  
Fixed-Satellite Space Station License )  
 )

**COMMENTS OF INTELSAT LICENSE LLC**

Intelsat License LLC (“Intelsat”) hereby comments on the above-referenced application of SES Americom, Inc. (“SES Americom,” doing business as “SES”).<sup>1</sup> In this application, SES seeks Federal Communications Commission (“FCC” or “Commission”) approval to operate the AMC-1 satellite (call sign S2445) at 47.5° W.L. under a U.S. license but pursuant to the International Telecommunication Union (“ITU”) filings and coordination agreements of the Netherlands Administration. SES’ affiliate, New Skies Satellites B.V. (“New Skies”), already operates the NSS-806 (call sign S2591) under a Netherlands license in the same location pursuant to the same Netherlands ITU filings.<sup>2</sup> Intelsat files these comments to ensure that SES’ proposed operation at 47.5° W.L. with a U.S.-licensed satellite does not alter SES’ well-established ITU coordination obligations at this location.

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<sup>1</sup> *SES AMERICOM, INC., Application for Modification of AMC-1 Fixed-Satellite Space Station License*, File No. SAT-MOD-20140730-00089 (filed Jul. 30, 2014) (“AMC-1 Application”).

<sup>2</sup> *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 (stamp grant Dec. 6, 2013) (“NSS-806 Stamp Grant”).

The FCC routinely includes a condition requiring compliance with international coordination agreements in authorizations granting U.S. market access to non-U.S.-licensed satellite operators.<sup>3</sup> Indeed, such a condition appears in the market access authority granted to NSS-806.<sup>4</sup> Here, the U.S.-licensed AMC-1 satellite will operate co-located with the Netherlands-licensed NSS-806 satellite. Both satellites will operate pursuant to the same ITU filings of the Netherlands Administration. Because the two satellites will be co-located at the same orbital location, operating pursuant to the same Netherlands ITU filing, they should have the same ITU coordination obligations. This is true even though the AMC-1 satellite would be U.S.-licensed.

To ensure that SES's operation of AMC-1 under a U.S. license at this location is consistent with established ITU coordination priorities, Intelsat requests that the Commission include the following condition in any AMC-1 grant of authority:

The AMC-1 space station must comply with all existing and future space station coordination agreements reached between the Netherlands and other Administrations, *including the United States*.

Intelsat notes that the italicized words "including the United States" have not previously appeared in this condition. Although it is logical that "other Administrations" would necessarily include the United States, Intelsat seeks to avoid any possible misunderstanding that could arise from the U.S.-licensed status of the AMC-1 satellite. This condition would provide useful clarity

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<sup>3</sup> See, e.g., *In the Matter of HISPAMAR SATÉLITES, S.A., Petition for Declaratory Ruling to Add AMAZONAS-3 Satellite at 61° W L to the Commission's Ka-band Permitted Space Station List; SAT-PPL-20121018-00183* at ¶ 1 (stamp grant Mar. 14, 2013); *Petition of New Skies Satellites B.V. for Declaratory Ruling for Inclusion of SES-4 at 22.0° W.L. on the Commission's Permitted Space Station List*, File No. SAT-PPL-20110620-00112 at ¶ 1 (stamp grant Mar. 15, 2012).

<sup>4</sup> NSS-806 Stamp Grant at ¶ 3 ("Communications between U.S.-licensed earth stations and the NSS-806 space station must comply with all existing and future space station coordination agreements reached between the Netherlands and other Administrations.")

to ensure that even though SES operates AMC-1 pursuant to a U.S. license it is still required to fulfill its ITU coordination obligations in conformance with the ITU filings of the Netherlands Administration.<sup>5</sup> Additionally, the condition would make it clear that by granting the AMC-1 application, the United States is neither agreeing to the Netherlands filing nor agreeing to revise any existing U.S-Netherlands coordination agreement related to that filing.

Respectfully submitted,

Intelsat License LLC

By:     /s/ Susan H. Crandall    

Susan H. Crandall  
Associate General Counsel  
INTELSAT CORPORATION  
7900 Tysons One Place  
McLean, VA 22102

Jennifer D. Hindin  
Colleen King  
WILEY REIN LLP  
1776 K Street, N.W.  
Washington, DC 20006-2304  
202.719.7000  
*Attorneys for Intelsat License LLC*

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<sup>5</sup> The FCC has consistently recognized that compliance with ITU coordination requirements is a separate obligation independent of grant of a U.S. license or authorization for U.S. market access. *Amendment of the Commission's Space Station Licensing Rules and Policies*, First Report and Order, 18 FCC Rcd 10760, 10799-10800 (¶ 296) (2003) (licensees “take their licenses subject to the outcome of the international coordination process” and the FCC “does not guarantee the success of the required coordination”); *see also, Telesat Canada Petitions for Reconsideration*, Second Order on Reconsideration, 25 FCC Rcd 15718, 15724 (¶ 10) (2010); *Loral Spacecom Corporation, Petition for Declaratory Ruling to Add Telstar 13 to the Permitted Space Station List*, Order, 18 FCC Rcd 16374, 16380 (¶ 16) (2003).

**Certificate of Service**

I hereby certify that on this 20<sup>th</sup> day of October 2014, a copy of the foregoing Comments of Intelsat License LLC is being sent via first class, U.S. Mail, postage paid, to the following:

Daniel C.H. Mah  
Regulatory Counsel  
SES Americom, Inc.  
Four Research Way  
Princeton, NJ 08540

Karis A. Hastings  
SatCom Law LLC  
1317 F Street, N.W.  
Suite 400  
Washington, DC 20004

/s/ Patricia Destajo  
Patricia Destajo