



1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

7925 JONES BRANCH DRIVE
MCLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wileyrein.com

December 19, 2014

Jennifer D. Hindin
202.719.4975
jhindin@wileyrein.com

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Supplemental Response to the Petition to Deny or Defer of ABS Global, Ltd., File No. SAT-MOD-20140829-00097

Dear Ms. Dortch:

Intelsat files this supplemental response to the Reply of ABS Global, Ltd. (“ABS”) in the above-referenced proceeding.¹ ABS continues to oppose Intelsat’s efforts to ensure continuity of service to its customers by replacing the Intelsat 706 satellite with the technically equivalent Intelsat 5 satellite at the 157.0° E.L. orbital location.² As discussed in Intelsat’s prior filings addressing this matter, ABS’s opposition lacks legal justification and represents a transparent attempt to manipulate the FCC’s licensing process to gain leverage in ITU coordination negotiations regarding future services on a satellite with lower ITU priority—to the detriment of Intelsat’s customers.

Intelsat 5 uses the same C-band frequencies and power levels as the previously operated Intelsat 706 satellite. The power levels used by both Intelsat 706 and Intelsat 5 meet the power levels set forth in Section 25.212 for the C-band.³ Accordingly, there simply is no basis upon which the FCC can deny the Intelsat 5 application.

Furthermore, Intelsat has priority in the relevant C-band frequencies at 157.0° E.L. by virtue of the fact that its ITU filing has been listed in the Master Register. ABS’

¹ Reply of ABS Global, Ltd., File No. SAT-MOD-20140829-00097 (filed Dec. 1, 2014); Response of Intelsat License LLC, File No. SAT-MOD-20140829-00097 (filed Nov. 24, 2014) (“Intelsat Response”); Petition to Deny or Defer of ABS Global, Ltd., File No. SAT-MOD-20140829-00097 (filed Nov. 13, 2014).

² Application of Intelsat License LLC to Modify Authorization for Intelsat 5, Call Sign S2704; File No. SAT-MOD-20140829-00097 at 3 (filed Aug. 29, 2014) (“Intelsat 5 Modification Application”).

³ See Letter from Susan H. Crandall to Marlene H. Dortch, SAT-MOD-20140829-00097 (filed Sept. 25, 2014).

Ms. Marlene Dortch
December 19, 2014
Page 2

petition simply seeks to co-opt the FCC's licensing process to eliminate the important distinctions between fully notified ITU filings that have been listed in the Master Register and filings still at the notification phase. As has been the case with the FCC's two-degree rule, foreign operators—such as ABS—continue to attempt to exploit U.S. regulations and the FCC's processes to force U.S.-licensed operators to provide concessions in coordination negotiations. In light of this, Intelsat urges the Commission to disregard ABS' petition and expeditiously grant the pending modification application to ensure Intelsat's continued ability to serve its customers.

Please contact the undersigned with any questions.

Sincerely,

/s/ Jennifer D. Hindin

Jennifer D. Hindin
Counsel for Intelsat

cc: Jose Albuquerque
Karl Kensinger
Stephen Duall
Kathryn Medley
Jay Whaley
Cindy Spiers



Ms. Marlene Dortch
December 19, 2014
Page 3

Certificate of Service

I, Colleen King, hereby certify that on this 19th day of December 2014, a copy of the foregoing letter is being sent via electronic mail to the following:

Arlene Kahng
General Counsel
O'Hara House
3 Bermudiana Road
Hamilton HM08
Bermuda
Arlene@absatellite.net

/s/ Colleen King
Colleen King