

S2133 SAT-MOD-20141029-00116 IB2014002148
DIRECTV Enterprises, LLC
Spaceway 2



File # SAT-MOD-20141029-00116

Call Sign S2133 Grant Date 01/08/15

(or other identifier)

Term Dates see conditions

From 01/08/15

To: 04/14/21

Approved by OMB
3060-0678

Approved: _____

Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

Date & Time Filed: Oct 29 2014 4:02:09:586PM
File Number: SAT-MOD-20141029-00116

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:
Minor Mod of S2133


1-8. Legal Name of Applicant

Name:	DIRECTV Enterprises, LLC	Phone Number:	301-663-0053
DBA Name:		Fax Number:	240-358-0569
Street:	2230 E. Imperial Hwy CA/LAI/N340	E-Mail:	jwengryniuk@directv.com
City:	El Segundo	State:	CA
Country:	USA	Zipcode:	90245 -
Attention:	Mr Jack M Wengryniuk		

**Attachment to Grant
DIRECTV Enterprises, LLC
IBFS File No. SAT-MOD-20141029-00116
Call Sign S2133**

The application of DIRECTV Enterprises, LLC (DIRECTV), IBFS File No. SAT-MOD-20141029-00116, to modify the authorization for its SPACEWAY 2 space station (Call Sign S2133) is GRANTED. Accordingly, DIRECTV is authorized to operate SPACEWAY 2 at the 99.075° W.L. orbital location instead of its previously authorized location at 99.115° W.L., and to reduce its East-West stationkeeping tolerance from ±0.05 degrees to ±0.025 degrees. DIRECTV is also authorized to operate SPACEWAY 2 to provide Fixed-Satellite Service (FSS) in the 18.3-18.8/19.7-20.2 GHz (Downlink) and 28.35-28.60/29.25-30.0 GHz (Uplink) frequency bands at the 99.075° W.L. orbital location. This authorization must be in accordance with the technical specifications set forth in DIRECTV's application, as supplemented, DIRECTV's current authorization as amended and modified, Federal Communication Commission rules not waived herein, and the following conditions:

1. Except to the extent modified herein, DIRECTV must operate SPACEWAY 2 at 99.075° W.L. pursuant to the terms and conditions contained in its current authorization, IBFS File No. SAT-MOD-20071010-00137 (granted Mar. 19, 2008).
2. Nothing in this authorization extends the license term of the SPACEWAY 2 space station (S2133), which expires on April 14, 2021.
3. DIRECTV is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
4. This authorization is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review 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 date of the public notice indicating that this action was taken.

 GRANTED* International Bureau *with conditions	File # <u>SAT-MOD-20141029-00116</u>
	Call Sign <u>S2133</u> Grant Date <u>01/08/15</u> (or other identifier)
	Term Dates <u>see conditions</u>
	From <u>01/08/15</u> To: <u>04/14/21</u>
	Approved: <u><i>Stephen J. Dwall</i></u> Stephen J. Dwall Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	William M. Wiltshire	Phone Number:	202-730-1350
Company:	Harris, Wiltshire & Grannis LLP	Fax Number:	202-730-1301
Street:	1919 M Street NW Suite 800	E-Mail:	wwiltshire@harriswiltshire.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036-
Attention:	William M. Wiltshire	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.

- a1. 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
- b3. Amendment to a Pending Application
- 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
- b13. Amendment to a Pending Database Entry Application
- b14. Modification of Database Entry

TYPE OF SERVICE

<p>20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:</p> <p><input checked="" type="checkbox"/> a. Fixed Satellite</p> <p><input type="checkbox"/> b. Mobile Satellite</p> <p><input type="checkbox"/> c. Radiodetermination Satellite</p> <p><input type="checkbox"/> d. Earth Exploration Satellite</p> <p><input checked="" type="checkbox"/> e. Direct to Home Fixed Satellite</p> <p><input type="checkbox"/> f. Digital Audio Radio Service</p> <p><input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p><input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply.</p> <p><input type="checkbox"/> Using U.S. licensed satellites</p> <p><input type="checkbox"/> Using Non-U.S. licensed satellites</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p><input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).</p> <p><input type="checkbox"/> a. C-Band (4/6 GHz) <input type="checkbox"/> b. Ku-Band (12/14 GHz)</p> <p><input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.)</p> <p>Frequency Lower: 18300 Frequency Upper: 30000 (Please specify additional frequencies in an attachment)</p>	

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- a. Fixed Earth Station
- b. Temporary-Fixed Earth Station
- c. 12/14 GHz VSAT Network
- d. Mobile Earth Station
- e. Geostationary Space Station
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY:

- Transmit/Receive Transmit-Only 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 & countries)
- k — authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l — 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. Yes No

ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No
30. Is the applicant an alien or the representative of an alien?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> 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?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> 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 No 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 No

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 explanation of circumstances.

Yes 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 explanation of circumstances.

Yes 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

Yes 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 exhibit, an explanation of the circumstances.

Yes 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.

Yes 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.

Yes No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

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.)

DIRECTV Enterprises, LLC requests authority to relocate its SPACEWAY 2 space station to the 99.075 WL orbital location. See attachment.

SW2 Request

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.

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.

B

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.

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.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing
Gavin Shutz

46. Title of Person Signing
Senior VP of Broadcast Operations

→

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

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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.

REQUEST FOR MINOR MODIFICATION

DIRECTV Enterprises, LLC (“DIRECTV”) hereby requests a minor modification of its authorization to operate the SPACEWAY 2 space station (call sign S2133). Specifically, DIRECTV seeks to move the space station 0.04° – from 99.115° W.L. to 99.075° W.L. – and to reduce its East-West stationkeeping tolerance from $\pm 0.05^\circ$ to $\pm 0.025^\circ$ in order to accommodate the upcoming launch of the DIRECTV 14 space station, which will also operate at the same nominal orbital location.

At present, DIRECTV operates two satellites at the nominal 99° W.L. orbital location: DIRECTV 11 at 99.225° W.L.¹ and SPACEWAY 2 at 99.115° W.L.² DIRECTV 14 is currently scheduled to be launched by Arianespace in early December 2014.³ DIRECTV anticipates that, after orbit-raising and in-orbit testing have been completed, the spacecraft will arrive at 99° W.L. in early February 2015.

DIRECTV 14 is authorized to operate at 99.235° W.L.⁴ In order to make room for this additional satellite at the 99° W.L. location, DIRECTV proposes to relocate its two existing satellites very slightly – by 0.04° each – such that DIRECTV 11 would operate at 99.185° W.L. and SPACEWAY 2 would operate at 99.075° W.L., and each would reduce its East-West stationkeeping tolerance to $\pm 0.025^\circ$. By making these minor changes, DIRECTV will ensure that each of its satellites can operate without overlapping the operational area of any non-DIRECTV satellite.

Because moving the satellite only 0.04° will have a *de minimis* effect on its operations, including predicted gain contours and sample link budgets, revised contours and budgets have not been submitted. In accordance with Section 25.117(d)(1) of the Commission’s rules, DIRECTV hereby certifies that the remaining information in its station license and associated application(s) has not changed.

Accordingly, DIRECTV requests that its license for the SPACEWAY 2 space station be modified to authorize operations at 99.075° W.L. $\pm 0.025^\circ$.

¹ See Grant Stamp, IBFS File No. SAT-MOD-20071010-00138 (granted Mar. 19, 2008).

² See Grant Stamp, IBFS File No. SAT-MOD-20071010-00137 (granted Mar. 19, 2008).

³ See, e.g., Arianespace, “The Spaceport keeps pace with Arianespace’s busy mission cadence,” available at http://www.arianespace.com/news-feature-story/2014/10-17-2014-combined_missions.asp.

⁴ See Grant Stamp, IBFS File No. SAT-LOA-20120518-00085 (granted Dec. 4, 2012).