

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 16 (S2750)

File No. SAT-MOD- _____

**APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR INTELSAT 16**

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 16 satellite (Call Sign S2750). Specifically, this modification application seeks authority to redeploy Intelsat 16 to, and operate the satellite at, 58.1° W.L.

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. REQUEST TO RELOCATE INTELSAT 16 TO 58.1° W.L.

Intelsat requests authority to relocate Intelsat 16 to, and operate the satellite at, 58.1° W.L. Intelsat 16 is currently operating at 79.0° W.L.³ Intelsat has been granted Special Temporary Authority to drift to, and operate the satellite to 58.1° W.L.⁴

Once located at 58.1° W.L., Intelsat 16 will be nominally co-located with Intelsat 21, which currently operates at 58.0° W.L.⁵ Intelsat 16 will operate in the communications frequencies as set forth below:

Frequency Band	INTELSAT 21	INTELSAT 16
3700 – 4200 MHz	√	
5925 – 6425 MHz	√	
10700 – 11450 MHz		√
11450 – 11700 MHz	√	
11700 – 12200 MHz	√	√
12750 – 13250 MHz		√
13750 – 14000 MHz		√
14000 – 14500 MHz	√	√

Intelsat 16’s specific telemetry, tracking, and command (“TT&C”) frequencies are as follows: 12198.25 MHz, 12198.75 MHz, 13997.5 MHz, and 14499.5 MHz.

³ See *Policy Branch Information; Actions Taken*, Report No. SAT-01078, File No. SAT-MOD-20150105-00003 (Apr. 17, 2015) (Public Notice).

⁴ See *Policy Branch Information; Actions Taken*, Report No. SAT-01127, File No. SAT-STA-20151222-00085 (Jan. 8, 2016) (Public Notice); See *Policy Branch Information; Actions Taken*, Report No. SAT-01103, File No. SAT-STA-20150625-00038 (Aug. 21, 2015) (Public Notice).

⁵ See *Policy Branch Information; Actions Taken*, Report No. SAT-00882, File No. SAT-RPL-20120326-00061 (July 13, 2012) (Public Notice).

As indicated above, Intelsat 16 includes the 10700 – 11450 MHz, 12750 – 13250 MHz, and 13750 – 14000 MHz frequency bands, which are not currently used by Intelsat 21 at the 58.0° W.L. location.⁶

II. PUBLIC INTEREST SHOWING

Grant of this modification application is in the public interest because it will allow Intelsat to help satisfy customer demand at 58.1° W.L. Moreover, grant of this modification application will not result in an increased risk of harmful interference. Intelsat will operate Intelsat 16's communications payload and TT&C frequencies at 58.1° W.L. in conformance with existing coordination agreements and the FCC's rules governing operations vis-à-vis adjacent locations.

III. REQUEST FOR GRANT WITHOUT A BOND

Intelsat 16 seeks a waiver to the milestone and bond posting requirements set forth in Sections 25.164 and 25.165 of the Commission's rules for the 10700 – 11450 MHz, 12750 – 13250 MHz, and 13750 – 14000 MHz frequency bands, which are included on Intelsat 16 but not on Intelsat 21. Intelsat understands that when the modified milestone and bond requirements adopted in the Satellite Streamlining Second Report and Order come into force, the FCC will apply them to pending space station applications, such as this one.⁷

The Commission should grant this application without imposing a bond⁸ because as Intelsat 16 is already in-orbit, there is no risk of warehousing and Intelsat should not be required

⁶ The 10700 – 11450 MHz and 12750 – 13250 MHz bands were not previously licensed on Intelsat 16.

⁷ *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Second Report and Order, IB Docket No. 12-267, FCC 15-167 at ¶ 333 (rel. Dec. 17, 2015).

⁸ 47 C.F.R. §§ 25.164, 25.165.

to post a bond.⁹ Indeed, the Commission has granted similar applications for in-orbit satellites without imposing milestones or a bond.¹⁰

IV. 10700 – 11450 MHZ AND 13750 – 14000 MHZ FREQUENCY BANDS

Intelsat understands that operations in the 10700 – 11450 MHz and 13750 – 14000 MHz frequency bands are subject to certain limitations and obligations, which Intelsat accepts and will fulfill. Specifically, for operations in the 10950 – 11200 MHz frequency band, Intelsat accepts the following conditions:

- Operations in the 10700 – 11450 MHz frequency band shall comply with the terms of 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.
- Operations in the 10700 – 11450 MHz frequency band are limited to international operations in accordance with footnote NG 52 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, NG 52.

For operations in the 13750 – 14000 MHz frequency band, Intelsat accepts the following condition:

- Pursuant to footnote US337 of the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, any earth station in the United States and its possessions communicating with the Intelsat 16 space station in the 13750-14000 MHz band (Earth-to-space) is required to coordinate through National Telecommunications and Information Administration's (NTIA's) Interdepartment Radio Advisory Committee's (IRAC's) Frequency Assignment Subcommittee (FAS) to minimize interference to the National

⁹ See *Loral Skynet Network Services, Inc.*, 21 FCC Rcd 14,365 (Int'l Bur. 2006) ("Because Telstar 18 is in-orbit and operating, Loral is not required to post a bond.").

¹⁰ See *Policy Branch Information; Actions Taken*, Report No. SAT-00541, File No. SAT-MOD-20080225-00051 (July 25, 2008) (Public Notice); See *Policy Branch Information; Actions Taken*, Report No. SAT-00561, File No. SAT-MOD-20080725-00150 (Oct. 24, 2008) (Public Notice). To the extent necessary, Intelsat requests waiver of Sections 25.164(a) and 25.165 of the rules, 47 C.F.R. §§ 25.164(a) and 25.165, for any bond associated with the operation of Intelsat 16 at 58.1° W.L. In this case, there is no risk of warehousing because the Intelsat 16 satellite is already in-orbit and will be able to provide service from the 58.1° W.L. location in a much more timely manner than the five years that would be allowed to an applicant intending to construct, launch, and operate a new satellite at this location.

Aeronautics and Space Administration Tracking and Data Relay Satellite System,
including manned space flight.

V. **CONCLUSION**

For the reasons set forth above, Intelsat respectfully requests that the Commission grant
this modification application.

Respectfully submitted,

Intelsat License LLC

By: Susan H. Crandall
Susan H. Crandall
Associate General Counsel
Intelsat Corporation
7900 Tysons One Place
McLean, VA 22102
(703) 559-7848

February 1, 2016

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”),¹ based on the Bureau’s finding that PanAmSat had not satisfied applicable construction milestones.² 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.

¹ 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).

² *See PanAmSat Licensee Corp.*, Memorandum Opinion and Order, 15 FCC Rcd 18720 (IB 2000).

**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:

Franz Russ, Deputy Chairman
Michelle Bryan, Secretary
Mirjana Hervy, Director, Finance

Board of Managers:

Franz Russ
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 change of control has not yet been fully consummated.