

File # SAT-MOD-20160527-00053

Call Sign S2902 Grant Date 01/12/17
 (or other identifier)

From 01/12/17 To: See conditions

Approved: Stephen J. Duall
 Chief, Satellite Policy Branch

GRANTED *
 International Bureau
 *with conditions

Approved by OMB
 3060-0678

Date & Time Filed: May 27 2016 2:20:50:343PM
 File Number: SAT-MOD-20160527-00053

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:
 ViaSat-2 Modification to add 17.7-18.3 GHz and 27.5-28.1 GHz

1-8. Legal Name of Applicant

Name:	ViaSat, Inc.	Phone Number:	760-476-2583
DBA Name:		Fax Number:	760-929-3941
Street:	6155 El Camino Real	E-Mail:	daryl.hunter@viasat.com
City:	Carlsbad	State:	CA
Country:	USA	Zipcode:	92009
Attention:	Mr Daryl T Hunter		

ATTACHMENT TO GRANT
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ViaSat, Inc.

IBFS File No(s):	SAT-MOD-20160527-00053	<p style="text-align: center;">GRANTED – With Conditions</p>  <p style="text-align: center;">International Bureau Satellite Division</p>
Licensee/Grantee:	ViaSat, Inc.	
Call Sign:	S2902	
Satellite Name:	VIASAT-2	
Orbital Location: (required station- keeping tolerance)	69.9° W.L. (+/- 0.05° east-west)	
Administration:	United Kingdom	
Nature of Service:	Fixed-Satellite Service (FSS)	
Scope of Grant:	Modification of ViaSat's grant of U.S. market access for ViaSat-2 at 69.9° W.L. to add the 17.7-18.3 GHz (space-to-Earth) and 27.5-28.1 GHz (Earth-to-space) frequency bands.	
Previous Grant(s):	SAT-LOI-20130319-00040 (granted Dec. 12, 2013) and SAT-MOD-20141105-00121, SAT-AMD-20150105-00002 (granted April 15, 2015), to provide FSS using the 18.3-19.3 GHz, 19.7-20.2 GHz (space-to-Earth) and 28.1-29.1 GHz, 29.5-30.0 GHz (Earth-to-space) frequency bands.	
Service Area(s):	See Schedule S at Item S6 and accompanying .gxt files.	
Frequencies:	17.7-19.3 GHz, 19.7-20.2 GHz (space-to-Earth), 27.5-29.1 GHz, 29.5-30.0 GHz (Earth-to-space) Telemetry, Tracking, and Command Center Frequencies: 18301 MHz, 18303 MHz, and 18799.6 MHz (space-to-Earth) 29501 MHz, and 29999 MHz (Earth-to-space)	

Unless otherwise specified herein, operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission's rules not waived herein. This grant is also subject to the following conditions:

1. This grant does not include the provision of any Direct-to-Home (DTH) service, Direct Broadcast Satellite (DBS) service, or Digital Audio Radio Service (DARS) to, from, or within the United States.¹
2. Communications between U.S.-licensed earth stations and the VIASAT-2 space station must comply with all existing and future space station coordination agreements reached between the United Kingdom and other administrations. In the absence of a coordination agreement, such communications must comply with applicable provisions of the ITU Radio Regulations as the Commission cannot guarantee the success of the required conditions.
3. ViaSat's request for a waiver of Footnote NG165 to Section 2.106 of the United States Table of Frequency Allocations, 47 CFR § 2.106, to permit ViaSat to operate its GSO FSS VIASAT-2 space station in the 18.8-19.3 GHz (space-to-Earth) frequency band on a non-conforming basis is GRANTED. In the United States, the 18.8-19.3 GHz frequency band is designated for non-Federal, non-geostationary orbit (NGSO) FSS operations on a primary basis, with no designation for non-Federal GSO operations. The 18.8-19.3 GHz band is also allocated to Federal GSO and NGSO FSS operations on a primary basis. As a non-conforming user, ViaSat must accept any interference from any non-Federal NGSO FSS system, any Federal GSO FSS or NGSO FSS system, or any grandfathered co-primary fixed service stations authorized to use the 18.8-19.3 GHz frequency band. In addition, ViaSat must not cause harmful interference to any authorized non-Federal NGSO FSS

¹ For purposes of this condition, DTH means one-way satellite transmission of television service.

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system, any authorized Federal GSO FSS or NGSO FSS system, or any grandfathered co-primary fixed service stations, and must immediately cease operations upon notification of such harmful interference resulting from its operations.

4. ViaSat must coordinate its space-to-Earth operations in the 17.7-20.2 GHz frequency band with U.S. Federal Systems, including Federal operations to earth stations in foreign countries, in accordance with footnote US334 to the U.S. Table of Frequency Allocations, 47 CFR § 2.106.
5. The power flux-density (PFD) at the Earth's surface produced by the emissions from the VIASAT-2 space station for all atmospheric conditions, and for all methods of modulation in the 17.8-19.3 GHz and 19.7-20.2 GHz frequency bands (space-to-Earth), must not exceed a level of -118 dBW/m²/MHz at any angle of arrival.²
6. ViaSat's request for a waiver of Section 25.114(c)(4) of the Commission's rules, 47 CFR § 25.114(c)(4), to the extent necessary to provide antenna beam information for two representative beams in lieu of replicating the beam information for additional, identical beams is GRANTED. Specifically, we waive in part Sections 25.114(c)(4)(i),(ii), and (v) of the Commission's rules, 47 CFR §25.114(c)(4)(i),(ii),(v). We find that a waiver is warranted in this instance because the representative beam information, when combined with the antenna gain contour information ViaSat provided under Section 25.114(c)(4)(vii)(C) of the Commission's rules, 47 CFR 25.114(c)(4)(vii)(C), is sufficient to fulfill the relevant informational requirements.
7. ViaSat's request for a waiver of Section 25.210(i) of the Commission's rules, addressing cross polarization isolation requirements, is GRANTED. 47 CFR § 25.210(i). Although the Commission recently eliminated this requirement for FSS space stations, it retained the requirement for 17/24 GHz BSS space stations. We grant ViaSat a waiver of the rule for its operations in the 17.7-17.8 GHz band segment subject to the condition that ViaSat may not claim greater protection from interference from other radiocommunications systems operating in accordance with the Commission's rules than if its antenna's complied with Section 25.210(i).
8. VIASAT-2's operations must not cause harmful interference to any non-Federal station authorized to operate on a primary basis in the 28.6-29.1 GHz frequency band, must accept any interference from these systems, and must terminate operations immediately upon notification of harmful interference.
9. This grant is based upon a finding that ViaSat is and will be subject to direct and effective regulation by the United Kingdom concerning orbital debris mitigation. This grant will become effective and remain effective only to the extent that launch and space operations are authorized by the United Kingdom Space Agency under the United Kingdom Outer Space Act. ViaSat must file evidence in the public record of this proceeding demonstrating grant of any such authorizations within five business days of action by the United Kingdom Space Agency.
10. Communications between U.S.-licensed earth stations and VIASAT-2 in the 27.5-28.35 GHz (Earth-to-space) frequency band are on a secondary basis with respect to LMDS until the provisions adopted in FCC 16-89 go into effect. After that, communications between U.S.-licensed earth stations and VIASAT-2 in this band are secondary with respect to Upper Microwave Flexible Use Service

² Footnote US255 to the Table of Frequency Allocations, 47 CFR § 2.106, requires that the PFD across the 200 megahertz of the 18.6-18.8 GHz band not exceed -95 dBW/m². ViaSat proposes to operate the VIASAT-2 space station with a maximum PFD of -118 dBW/m²/MHz in this band. This level corresponds to a maximum PFD of -95 dBW/m²/200 MHz. Consequently, VIASAT-2's proposed operations meet the PFD limit in US255. VIASAT-2's operations also meet other PFD limits for transmitting Ka-band space stations. See 47 CFR §§ 25.138(a)(6), 25.208(c), 25.208(d) and 25.208(e).

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(UMFUS) operations, except for FSS operations associated with earth stations authorized pursuant to 47 CFR § 25.136.

11. ViaSat's request for a waiver of Section 2.106 of the U.S. Table of Frequency Allocations, 47 CFR § 2.106, to permit operations in the 17.7-18.3 GHz band, including a waiver of footnote US271 to Section 2.106 to permit operations in the 17.7-17.8 GHz band, is GRANTED. Operations of VIASAT-2 in this band is on an unprotected, non-harmful interference basis, that is ViaSat must not cause harmful interference to any authorized users, nor can ViaSat claim protection from harmful interference caused by any authorized users.
12. ViaSat's operations of VIASAT-2 in the 17.7-17.8 GHz (space-to-Earth) band at the 69.9° W.L. orbital location must be at power-flux density (PFD) levels that are reduced from those specified in 47 CFR § 25.208(w) in accordance with the following calculation methodology: For a given location on the surface of the Earth at which the required PFD reduction value needs to be determined, calculate the topocentric angular separation ' ϕ ' of the 71° W and 67° W.L. geostationary orbital locations, and the corresponding off-axis gain $GCO1(\phi)$ of the antenna specified in Section 25.224(a)(1) of the Commission's rules at that angular separation. For the same location on the surface of the Earth, also calculate the topocentric angular separation of the 67° W.L. and 69.9° W.L. geostationary orbital locations, and the gain of the antenna ' $GCO2(\phi)$ ' specified in Section 25.224(a)(1) of the Commission's rules at that angular separation. Then, perform the subtraction $GCO2(\phi) - GCO1(\phi)$. The result is the required reduction in PFD from the value specified in Section 25.208(c). The PFD levels of VIASAT-2's space station transmissions must not exceed the lower of these calculated levels or the levels stated in its application, and must meet the reduced PFD limits under all atmospheric conditions.
13. The operations of VIASAT-2 to and from the United States in the 17.8-18.6 GHz (space-to-Earth); 19.7-20.2 GHz (space-to-Earth); 27.5- 28.6 GHz (Earth-to-space); and 29.5-30.0 GHz (Earth-to-space) frequency bands may not claim any more protection from any current or future NGSO FSS system authorized by the Commission to operate in these bands than that provided by the applicable equivalent power flux-density limits of Article 22 of the International Telecommunication Union (ITU) Radio Regulations.
14. The operations of VIASAT-2 to and from the United States and associated earth stations must comport with the applicable uplink and downlink limits in 47 CFR § 25.140(a)(3) of the Commission's rules, unless ViaSat coordinates any non-conforming operations with the operations of U.S.-licensed geostationary orbit space stations within 6 degrees of the 69.9° W.L. orbital location. ViaSat must also comport with the maximum power limits indicated in its application. Non-conforming operations must also be coordinated with respect to those operations of non-U.S.-licensed space stations within 6 degrees of 69.9° W.L. involving approved communications with U.S.-licensed earth stations.
15. ViaSat's U.S. market access and all conditions contained herein are subject to the outcome of the Update to Parts 2 and 25 Concerning Non-Geostationary Orbit, Fixed-Satellite Service Systems and Related Matters, *Notice of Proposed Rulemaking*, IB Docket No. 16-408 (Dec. 15, 2016).
16. This grant of market access for the VIASAT-2 space station at the 69.9° W.L. orbital location will be null and void with no further action on the Commission's part if the space station is not launched and operating on or before December 12, 2018.³

³ See IBFS File No. SAT-LOI-20130319-00040 (granted Dec. 12, 2013) (imposing bond and milestone conditions on ViaSat-2). The Satellite Division has determined that ViaSat, Inc. has met the first three milestones associated with its authorization for the ViaSat-2 space station at the 69.9 W.L. orbital location (Call Sign S2902), and may reduce the associated bond

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17. This grant of market access will terminate in the event that the VIASAT-2 space station is relocated from the 69.9° W.L. orbital location or ceases to operate. In either case, VIASAT-2 will be removed from the Permitted List. If ViaSat wishes to provide service to the U.S. using another space station, it must file a new application to have that space station placed on the Permitted List.

Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.

This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 CFR § 0.261, and is effective upon release.

Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).

Action Date:	January 12, 2017
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Term Dates	From: January 12, 2017	To: see conditions
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Approved:



Stephen J. Duall
Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	John P. Janka	Phone Number:	202-637-2200
Company:	Latham & Watkins LLP	Fax Number:	202-637-2201
Street:	555 Eleventh Street NW Suite 1000	E-Mail:	john.janka@lw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20004-
Attention:	Mr. John P. Janka	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

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:

- ☒ a. Fixed Satellite
- ☐ b. Mobile Satellite
- ☐ c. Radiodetermination Satellite
- ☐ d. Earth Exploration Satellite
- ☐ e. Direct to Home Fixed Satellite
- ☐ f. Digital Audio Radio Service
- ☐ g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

- ☐ Common Carrier ☒ Non-Common Carrier

22. If earth station applicant, check all that apply.

- ☐ Using U.S. licensed satellites
☐ Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

- ☐ Connected to a Public Switched Network ☐ Not connected to a Public Switched Network ☒ N/A

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

- ☐ a. C-Band (4/6 GHz) ☐ b. Ku-Band (12/14 GHz)
☒ c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: 17700

Frequency Upper: 28100

(Please specify additional frequencies in an attachment)

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?

☐ Yes ☒ No

30. Is the applicant an alien or the representative of an alien?

☐ Yes ☒ No ☐ N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

☐ Yes ☒ No ☐ 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?

☐ Yes ☒ No ☐ 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

<p>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.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attemptiing 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</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>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 exhinit, an explanation of the circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>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.</p>	

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?United Kingdom

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.)

See attached narrative.

Narrative

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

Technical Annex

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
Daryl T. Hunter

—>

46. Title of Person Signing
Sr. Director, Regulatory Affairs

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).

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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.