

Before the  
**Federal Communications Commission**  
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for  
Galaxy 11 (S2253)

File No. SAT-MOD- \_\_\_\_\_

**APPLICATION OF INTELSAT LICENSE LLC  
TO MODIFY AUTHORIZATION FOR GALAXY 11**

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 Galaxy 11 satellite (Call Sign S2253). Specifically, this modification application seeks authority to operate Galaxy 11 at 44.9° E.L., pursuant to the International Telecommunication Union filing of the German Administration held by EUROPE\*STAR Gesellschaft für Satellitenkommunikation mbH (“Europe\*Star”), a joint venture that is 51 percent owned by a sister entity of Intelsat – PanAmSat Europe Corporation (“PanAmSat Europe”).<sup>1</sup> Intelsat requests that the Commission state its non-objection to the use

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<sup>1</sup> PanAmSat Europe is a Delaware company that is wholly owned by Intelsat Corporation. Certain members of the Shulte-Hillen family and other entities own the remaining 49 percent of Europe\*Star. The German representative of the Schulte-Hillen family is Beatrix von Wietersheim. The managing directors of Europe\*Star are Sajid Ajmeri and Mike Green. The officers and directors of PanAmSat Europe are: Kurt Riegelman – Director and Chairman, President & COO, Stephen Chernow – Director and VP & General Counsel, Mike Green – Director and VP & Controller, Henry Heuer, VP, Treasury and Tax, & Treasurer, and Sajid Ajmeri – VP & Secretary. Intelsat incorporates by reference the New Slot Usage Agreement between Europe\*Star and PanAmSat Europe previously filed with the FCC. *See Policy Branch Information; Actions Taken*, Report No. SAT-00476, File No. SAT-STA-20061102-00128 (Oct. 12, 2007) (Public Notice) (granting STA request to drift Intelsat 601 from 63.65° E.L. to 47.5°

of Galaxy 11 to operate against the ITU filings of the German Administration for the nominal 45° E.L. orbital location.

In accordance with the requirements of the Commission's rules,<sup>2</sup> 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.<sup>3</sup>

## **I. PROPOSED MODIFICATION**

Intelsat requests authority to operate Galaxy 11 at 44.9° E.L. Galaxy 11 is currently operating at 60.1° E.L. under STA<sup>4</sup> and is licensed permanently to operate at 55.6° W.L.<sup>5</sup> Intelsat has filed a Special Temporary Authority ("STA") request for 180 days, commencing September 1, 2016, to drift Galaxy 11 from 60.1° E.L. to 45.0° E.L., operate temporarily at 45.0° E.L. for traffic transfer, then to drift Galaxy 11 from 45.0° E.L. to 44.9° E.L., and operate at its final location of 44.9° E.L.<sup>6</sup>

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E.L.). Intelsat expects shortly to receive a copy of the German authorization to Europe\*Star for use of the nominal 45° E.L. orbital location and will file it as a supplement to this application, translated into English for the Commission's convenience.

<sup>2</sup> 47 C.F.R. § 25.117(c).

<sup>3</sup> *Id.* § 25.114.

<sup>4</sup> *See Policy Branch Information; Actions Taken*, Report No. SAT-01158, File No. SAT-STA-20160210-00017 (May 13, 2016) (Public Notice).

<sup>5</sup> *See Policy Branch Information; Actions Taken*, Report No. SAT-01050, File No. SAT-MOD-20121018-00184 (Oct. 31, 2014) (Public Notice).

<sup>6</sup> *See Policy Branch Information; Satellite Space Applications Accepted for Filing*, Report No. SAT-01172, File No. SAT-STA-20160623-00059 (Jul. 8, 2016).

Galaxy 11 is being redeployed to the nominal 45° E.L. orbital location in order to provide continuity of service to customers currently on Intelsat 12, which is authorized by the United Kingdom. Intelsat 12 is expected to be de-orbited in late 2017. Galaxy 11 is expected to arrive at 44.9° E.L. in October 2016.

The specific communications frequencies associated with the Galaxy 11 and Intelsat 12 satellites at the nominal 45° E.L. orbital location are as follows:

	<b>Galaxy 11 @ 44.9 EL</b>	<b>Intelsat 12 @ 45.0 EL</b>
3625-3700 MHz		
3700-4200 MHz	✓	
5850-5925 MHz		
5925-6425 MHz	✓	
6425-6650 MHz		
10950-11200 MHz	✓	
11450-11700 MHz		✓
11700-12200 MHz	✓	
12500-12750 MHz		✓
13750-14000 MHz	✓	
14000-14500 MHz	✓	✓

## **II. PUBLIC INTEREST SHOWING**

Grant of this modification application to relocate Galaxy 11 is in the public interest because it will allow Intelsat to provide service continuity and additional capacity at the nominal 45° E.L. orbital location.

Grant of this relocation request and Intelsat's prior STA request will not result in increased risk of harmful interference. Intelsat will operate Galaxy 11's communications payload and TT&C frequencies at 44.9° E.L. in conformance with existing coordination agreements and the FCC's rules governing operations vis-à-vis adjacent locations.

### **III. REQUEST FOR TECHNICAL WAIVERS**

Intelsat requests that the waivers previously granted for Galaxy 11 be extended to Galaxy 11 at 44.9° E.L. Specifically, Intelsat requests continued waiver of Sections 25.114(d)(14)(ii) and 25.283(c) for the reasons previously stated.<sup>7</sup>

### **IV. REQUEST FOR GRANT WITHOUT A BOND**

Intelsat seeks a waiver of the milestone and bond posting requirements set forth in Sections 25.164 and 25.165 of the Commission's rules<sup>8</sup> for all of the frequencies on the Galaxy 11 satellite that are not currently on an FCC-licensed satellite at the nominal 45° E.L. orbital location.<sup>9</sup> Because Galaxy 11 is already in-orbit, Intelsat should not be required to post a bond.<sup>10</sup> Indeed, the Commission has granted similar applications for in-orbit satellites without imposing milestones or a bond.<sup>11</sup>

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<sup>7</sup> *Policy Branch Information; Actions Taken*, Report No. SAT-01050, DA 14-1580, File No. SAT-MOD-20121018-00184 (Oct. 31, 2014).

<sup>8</sup> 47 C.F.R. §§ 25.164, 25.165.

<sup>9</sup> 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. *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).

<sup>10</sup> *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.").

<sup>11</sup> *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 Galaxy 11 at 44.9° E.L. In this case, there is no risk of warehousing because the Galaxy 11 satellite is already in-orbit and will be able to provide service from the 44.9° E.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.

**V. CONDITIONS RELATED TO FREQUENCIES AND ORBITAL LOCATIONS TRANSFERRED AT INTELSAT PRIVATIZATION**

Intelsat assumes that the conditions specified in the *Intelsat 316 Order of Modification*<sup>12</sup> will no longer apply to the requested authorization for the Galaxy 11 satellite (call sign S2253) at the 44.9° E.L. orbital location.

**VI. 10950-11200 MHZ AND 13750-14000 MHZ FREQUENCY BANDS**

Intelsat understands that operations in the 10950-11200 MHz frequency band 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 condition:

- Operations in the 10950-11200 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.

For operations in the 13750-14000 MHz band, Intelsat accepts the following conditions:

- In the 13750-14000 MHz band (Earth-to-space), receiving space stations in the fixed- satellite service shall not claim protection from radiolocation transmitting stations operating in accordance with the United States Table of Frequency Allocations.
- 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 Galaxy 11 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 Aeronautics and Space Administration Tracking and Data Relay Satellite System, including manned space flight.
- Operations of any earth station in the United States and its possessions communicating with the Galaxy 11 space station in the 13750-14000 MHz band

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<sup>12</sup> *Petition of the International Telecommunications Satellite Organization under Section 316 of the Communications Act, as Amended, Order of Modification, 23 FCC Rcd 2764 (2008).*

(Earth-to-space) shall comply with footnote US356 to United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US356 which specifies a mandatory minimum antenna diameter of 4.5 meters and a non-mandatory minimum and maximum equivalent isotropically radiated powers (e.i.r.p.). Operations of any earth station located outside the United States and its possessions communicating with the Galaxy 11 space station in the 13750-14000 MHz band (Earth-to-space) shall be consistent with footnote 5.502 to the ITU Radio Regulations, which allows a minimum antenna diameter of 1.2 meters for earth stations of a geostationary satellite orbit network and specifies mandatory power limits.

- Operators of earth stations accessing the Galaxy 11 space station in the 13750-14000 MHz band are encouraged to cooperate voluntarily with the National Aeronautics and Space Administration (NASA) in order to facilitate continued operation of NASA's Tropical Rainfall Measuring Mission (TRMM) satellite.

## **VII. CONCLUSION**

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

Intelsat License LLC

By: /s/ Susan H. Crandall

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August 3, 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*.<sup>1</sup> In December 2009 and October 2011, the Commission also approved *pro forma* changes in Intelsat’s foreign ownership.<sup>2</sup> There have been no other material changes to Intelsat’s foreign ownership since the date of the *Intelsat-Serafina Order*.

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<sup>1</sup> *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).

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

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<sup>1</sup> 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).

<sup>2</sup> 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:

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

Board of Managers:

Jacques Kerrest  
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.