

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
NSS-7 (S2854)

File No. SAT-MOD- _____

APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR NSS-7

Intelsat License LLC (“Intelsat”), pursuant to Section 25.117 of the rules of the Federal Communications Commission (“Commission” or “FCC”),¹ hereby seeks to modify the authorization for the NSS-7 satellite (Call Sign S2854).² Specifically, Intelsat seeks to extend the license term for the NSS-7 satellite, and all previously granted waivers, through July 31, 2023.³

In accordance with the requirements of the Commission’s rules,⁴ this application has been filed electronically as an attachment to FCC Form 312. Intelsat incorporates by reference

¹ 47 C.F.R. § 25.117.

² See Intelsat License LCC, Application for Authority to Operate Certain Ku-band Frequencies of the NSS-7 Satellite at 340.0° E.L., File No. SAT-RPL-20120216-00018 (corrected stamp grant issued by Stephen J. Duall on May 25, 2012).

³ Intelsat has a pending STA request to extend the satellite’s license term. See Intelsat License LLC, Request for Special Temporary Authority to Extend the NSS-7 License Term; Call Sign S2854, File No. SAT-STA-20170405-00058 (filed Apr. 5, 2017).

⁴ 47 C.F.R. § 25.117(c).

the technical information previously provided regarding the operations of NSS-7.⁵

Consistent with Section 1.62 of the Commission’s rules,⁶ Intelsat will continue to operate the NSS-7 satellite pursuant to the terms and conditions of its expired license pending FCC action on Intelsat’s request for Special Temporary Authority (“STA”) to extend the license term of NSS-7⁷ and this modification application.

I. REQUEST FOR EXTENSION OF LICENSE TERM

Intelsat seeks to extend the license term for the NSS-7 satellite through July 31, 2023. The satellite was launched on April 16, 2002 and began inclined orbit operations in January 2015.⁸ The original license term for NSS-7 expired on April 16, 2017.⁹ This expiration date was well before the expected end of service life of the satellite, which was most recently estimated to be July 2023. Accordingly, Intelsat herein is seeking an extension of the NSS-7 license term based on the satellite’s current projected end of service life.

⁵ See *supra* note 2 at n. 4.

⁶ 47 C.F.R. § 1.62 (permitting continued operations by a licensee where there is a proper and timely pending application for renewal of the license).

⁷ See Intelsat License LLC, Request for Special Temporary Authority to Extend the NSS-7 License Term; Call Sign S2854, File No. SAT-STA-20170405-00058 (filed Apr. 5, 2017).

⁸ See Letter from Petra A. Vorwig, New Skies Satellites B.V., to Ms. Marlene H. Dortch, Federal Communications Commission, File No. SAT-MPL-20120215-00017 (April 25, 2017). In conformance with the notification requirement in 47 C.F.R. 25.280(a), Intelsat incorporates herein by reference the information contained in the April 25, 2017 letter from New Skies Satellites B.V. concerning NSS-7 and respectfully requests a waiver of the deadline contained in 47 C.F.R. 25.280(a). Intelsat inadvertently was not informed of the beginning of NSS-7’s inclined orbit operations and, as such, did not timely file a notice with the Commission within 30 days of the start of inclined orbit operations.

⁹ See *supra* n. 2.

II. **PUBLIC INTEREST SHOWING**

Grant of this modification application to extend the license term will serve the public interest by enabling customers to continue receiving service from NSS-7. There are no single points of failure on NSS-7 that would result in an inability to de-orbit the satellite, and most of the payload is operational. Extending the license term will promote the continued efficient use of orbital resources and is consistent with recent decisions by the Commission to extend satellite license terms.¹⁰

Moreover, extending the license term of the NSS-7 satellite will not affect the satellite's post-mission disposal plan, as provided to the Commission by New Skies Satellites B.V. in its Market Access Application.¹¹ The NSS-7 C-band payload operates pursuant to Netherlands authority and is on the U.S. Permitted List.¹²

¹⁰ See, e.g., *Policy Branch Information; Actions Taken*, Report No. SAT-01117, DA No. 15-1257, File No. SAT-MOD-20150820-00059 (Nov. 6, 2015) (Public Notice) (extending license terms of an SES satellite for an additional eight years); *Policy Branch Information; Actions Taken*, Report No. SAT-00664, DA 10-236, File No. SAT-MOD-20091119-00123 (Feb. 5, 2010) (Public Notice) (extending license term of Sirius XM satellites for an additional seven years).

¹¹ See New Skies Satellites B.V., Request for Modification of the Terms of U.S. Market Access for NSS-7, File No. SAT-MPL-20120215-00017 at 77-78 (corrected stamp grant issued by Stephen J. Duall on May 25, 2012).

¹² See *id.* at 1, 4.

III. CONCLUSION

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

Respectfully submitted,

Intelsat License LLC

By: /s/ Susan H. Crandall

Susan H. Crandall
Associate General Counsel
Intelsat Corporation

Jennifer D. Hindin
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006
May 2, 2017

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”),³ based on the Bureau’s finding that PanAmSat had not satisfied applicable construction milestones.⁴ 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).

Exhibit C
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.