

S2854 SAT-MOD-20170502-00068 IB2017001231
Intelsat License LLC
NSS-7



File # SAT-MOD-20170502-00068

Call Sign S2854 Grant Date 07/06/17
(or other identifier)

Term Dates
From 07/06/17 To: 07/31/23

Approved by OMB
3060-0678

Date & Time Filed: May 2 2017 2:29:29:033PM
File Number: SAT-MOD-20170502-00068

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


FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD – MAIN FORM FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
---	--------------

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Application to Modify Authorization for NSS-7 (S2854)

1-8. Legal Name of Applicant			
Name:	Intelsat License LLC	Phone Number:	703-559-7848
DBA Name:		Fax Number:	703-559-8539
Street:	c/o Intelsat Corporation 7900 Tysons One Place	E-Mail:	susan.crandall@intelsat.com
City:	McLean	State:	VA
Country:	USA	Zipcode:	22102 -5972
Attention:	Susan H. Crandall		

ATTACHMENT TO GRANT
Intelsat License LLC
IBFS File No. SAT-MOD-20170502-00068

IBFS File No(s):	SAT-MOD-20170502-00068	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	Intelsat License LLC	
Call Sign:	S2854	
Satellite Name:	NSS-7	
Orbital Location: (required station-keeping tolerance)	20.0° W.L. (+/- 0.05 degrees east-west station keeping) ¹	
Administration:	United States of America	
Nature of Service:	Fixed-Satellite Service (FSS)	
Scope of Grant:	Extension of the authority to provide FSS in certain Ku-band frequencies via the NSS-7 space station at 20.0° W.L. through July 31, 2023.	
Previous Grant(s):	Authority to provide FSS in the 10.95-11.2 GHz (space-to-Earth), 11.45-11.95 GHz (space-to-Earth), 12.5-12.75 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands via NSS-7 from the 20.0° W.L. orbital location. IBFS File No. SAT-MPL-20120216-00018 & SAT-RPL-20120216-00018, grant stamp, May 25, 2012.	
Service Area(s):	See IBFS File No. SAT-RPL-20120216-00018 (Legal Narrative at n.4, incorporating by reference the Technical Narrative and Schedule S in SAT-MPL-20120216-00018)	
Frequencies:	10.95-11.2 GHz (space-to-Earth) 11.45-11.95 GHz (space-to-Earth) 12.5-12.75 GHz (space-to-Earth) 14.0-14.5 GHz (Earth-to-space)	
<p>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:</p> <ol style="list-style-type: none"> 1. In connection with the provision of service in any particular country, Intelsat is obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that country. 2. Communications between U.S.-licensed earth stations and the NSS-7 space station shall comply with all existing and future space station coordination agreements reached between the Netherlands and other administrations. 3. Intelsat's request for waiver of sections 25.114(d)(14)(ii) and 25.283(c) of the Commission's rules, 47 CFR §§ 25.114(d)(14)(ii) and 25.283, remains granted in part.² Sections 25.114(d)(14)(ii) and 25.283(c) specify that space stations must discharge all stored energy sources at end-of-life of the space station. Intelsat states that residual oxidizer will not be vented at the spacecraft's end of life because the oxidizer tanks on NSS-7 were sealed using pyrotechnic valves at the end of transfer orbit and therefore cannot be vented. NSS-7 was launched on April 16, 2002, before section 25.283(c) was adopted. Furthermore, compliance with section 25.283(c) would require direct retrieval of the spacecraft or launching a servicing mission to the spacecraft, which is not practicable at this time. This action is 		

¹ NSS-7 began inclined orbit operations in January 2015. See Letter from Petra A. Vorwig, New Skies Satellites B.V., to Marlene H. Dortch, Secretary, Federal Communications Commission (April 25, 2017), available in IBFS File No. SAT-MPL-20120215-00017.

² This waiver was originally conditioned upon Intelsat, or New Skies, confirming the accuracy or correcting, within 10 calendar days of the date of the grant, information previously provided concerning volumes, temperatures, and pressures of the oxidizer tanks, and providing a list of the chemicals and the masses thereof that will be retained in the tanks at end-of-life. Intelsat filed supplements on June 4 and 5, 2012, fulfilling this condition. See Letters from Karis A. Hastings, Counsel for New Skies Satellites B.V., to Marlene H. Dortch, Secretary, Federal Communications Commission, dated June 4 and 5, 2012, available in IBFS File No SAT-RPL-20120216-00018.

ATTACHMENT TO GRANT
Intelsat License LLC
IBFS File No. SAT-MOD-20170502-00068

without prejudice to possible future licensing decisions in connection with other spacecraft of the same manufacturing series.

4. Intelsat's request for a waiver of section 25.114(c)(vi)(A) (formerly section 25.114(d)(3)) of the Commission's rules, 47 CFR § 25.114(c)(vi)(A), remains granted. Section 25.114(c)(vi)(A) requires predicted space station antenna gain contour(s) for each transmit and each receive antenna beam and nominal orbital location requested. Intelsat indicated that because certain beams on NSS-7 do not intersect with the Earth's surface, it did not provide gain contours for these beams. (IBFS File No. SAT-RPL-20120216-00018, Figure B-1 in the Technical Appendix, p. 112)³. We find, however, that Figure B-1, together with the descriptive characterization provided on page 13 of the Narrative in IBFS File No. SAT-RPL-20120216-00018, fulfilled the requirements of section 25.114(c)(vi)(A).
5. Intelsat will maintain control over the operation of the U.S.-licensed portion of the Ku-band payload on the NSS-7 space station and will have the sole right to direct New Skies to promptly deactivate these Ku-band frequencies in order to comply with U.S. laws and regulations.
6. Operations in the 10.95-11.2 GHz and 11.45-11.7 GHz frequency bands are limited to international service only pursuant to Footnote NG52 to the Table of Frequency Allocations, 47 CFR §§ 2.106, NG52.
7. Operations in the 10.95-11.2 GHz and 11.45-11.7 GHz frequency band are subject to footnote US211 to the United States Table of Frequency Allocations, 47 CFR § 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, consistent with footnote US74.
8. Operations of NSS-7 in the 14.47-14.5 GHz (Earth-to-space) frequency band is subject to the terms of footnotes 5.149 and US342 to the United States Table of Frequency Allocations, 47 CFR §2.106, 5.149, US342, which urge applicants to take all practicable steps to protect the radio astronomy service from harmful interference.
9. Intelsat's operations of NSS-7 at the 20.0° W.L. orbital location in the 10.95–11.2 GHz (space-to-Earth), 11.45–11.7 GHz (space-to-Earth), and 14.0–14.5 GHz (Earth-to-space) frequency bands are subject to the following conditions:
 - a. Intelsat shall remain a signatory to the Public Services Agreement between Intelsat and the International Telecommunications Satellite Organization (ITSO) that was approved by the ITSO Twenty-fifth and Thirty-seventh Assembly of Parties, as amended.
 - b. No entity shall be considered a successor-in-interest to Intelsat under the ITSO Agreement for licensing purposes unless it has undertaken to perform the obligations of the Public Services Agreement approved by the Twenty-fifth and Thirty-seventh Assembly of Parties, as amended.
10. Use of the 12.5-12.70 GHz frequency band is not authorized for FSS in International Telecommunication Union (ITU) Region 2.
11. Use of the 12.70-12.75 GHz frequency band is not authorized for FSS in the space-to-Earth direction in ITU Region 2.
12. The Commission has exchanged letters with the Netherlands Radio Communications Agency to ensure a mutual understanding regarding the operations of the NSS-7 space station. The understandings and factual basis for these understandings are attached in Annex A to the grant in IBFS File No. SAT-RPL-

³ The Technical Narrative and Schedule S were prepared by New Skies and filed as part of New Skies' Petition for Declaratory Ruling, and were incorporated by reference in Intelsat's application. See IBFS File No. SAT-MPL-20120215-00017 (New Skies' NSS-7 Petition) at n.1.

ATTACHMENT TO GRANT
 Intelsat License LLC
 IBFS File No. SAT-MOD-20170502-00068

20120216-00018 (grant stamp May 25, 2012) and are material considerations for the grant of this authority.

13. Intelsat's operations with NSS-7 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 Intelsat coordinates any non-conforming operations with the operations of U.S.-licensed geostationary orbit space stations within 6 degrees of the 20.0° W.L. orbital location. Intelsat must also comport with the maximum power limits indicated in existing or future coordination agreements at 20.0° W.L. Non-conforming operation must also be coordinated with respect to those operations of non-U.S.-licensed space stations within 6 degrees of 20.0° W.L. involving approved communications with U.S.-licensed earth stations.
14. The license term for Call Sign S2854 is extended from April 16, 2017, through July 31, 2023.


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:	July 6, 2017	
Term Dates	From: July 6, 2017	To: July 31, 2023

Approved:


 Stephen J. Duall
 Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7207
Street:	1776 K. Street, N.W.	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006-
Attention:	Jennifer D. Hindin	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:	
<input checked="" type="checkbox"/> a. Fixed Satellite <input type="checkbox"/> b. Mobile Satellite <input type="checkbox"/> c. Radiodetermination Satellite <input type="checkbox"/> d. Earth Exploration Satellite <input type="checkbox"/> e. Direct to Home Fixed Satellite <input type="checkbox"/> f. Digital Audio Radio Service <input type="checkbox"/> g. Other (please specify)	
21. STATUS: Choose the button next to the applicable status. Choose only one. <input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier	22. If earth station applicant, check all that apply. <input type="checkbox"/> Using U.S. licensed satellites <input type="checkbox"/> 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: <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	
24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s). <input type="checkbox"/> a. C-Band (4/6 GHz) <input checked="" type="checkbox"/> b. Ku-Band (12/14 GHz) <input type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.) Frequency Lower: Frequency Upper: (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?	<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 checked="" type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input 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 checked="" type="radio"/> No <input 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

<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 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</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 exhibit, 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?

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.)

Intelsat License LLC, pursuant to Section 25.117 of the rules of the Federal Communications Commission, hereby seeks to modify the authorization for the NSS-7 satellite (Call Sign S2854). Specifically, Intelsat seeks to extend the license term for the NSS-7 satellite, and all previously granted waivers, through July 31, 2023.

Narrative & Exhibits

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
Susan H. Crandall

-->

46. Title of Person Signing
Assoc. General Counsel, Intelsat Corporation

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-PERM, 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.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

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.