

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 901 (S2405)

File No. SAT-MOD- _____

**APPLICATION OF INTELSAT LICENSE LLC
TO MODIFY AUTHORIZATION FOR INTELSAT 901**

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 901 satellite (Call Sign S2405). Specifically, this modification application seeks authority to redeploy Intelsat 901 to, and operate the satellite at, 29.5° 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 *Id.* § 25.114.

I. PROPOSED MODIFICATION

Intelsat requests authority to operate Intelsat 901 at 29.5° W.L. Intelsat 901 currently is licensed to operate at 18.0° W.L.³ Intelsat expects to redeploy Intelsat 901 after the successful launch of, and traffic transfer to, Intelsat 37e (S2972). During the drift of the Intelsat 901 satellite, Intelsat will utilize only the satellite's telemetry, tracking, and control ("TT&C") frequencies and will follow industry practices for coordinating TT&C transmission during the relocation process. Intelsat 901 is expected to arrive at 29.5° W.L. in January 2018 and will be collocated with Intelsat 9 (S2380).

The specific communications frequencies associated with the Intelsat 901 and Intelsat 9 satellites at the 29.5° W.L. orbital location are as follows:

	Intelsat 901	Intelsat 9
3625-3700 MHz ⁴		
3700-4200 MHz	✓	✓
5850-5925 MHz ⁴		
5925-6425 MHz	✓	✓
10950-11200 MHz	✓	
11450-11700 MHz	✓	✓
11700-11950 MHz		✓

³ See *Policy Branch Information; Actions Taken*, Report No. SAT-01199, File No. SAT-MOD-20160906-00088 (Nov. 4, 2016) (Public Notice).

⁴ While Intelsat 901 is capable of operating in the 3625-3700 MHz and 5850-5925 MHz bands, Intelsat is not seeking authority to operate in these bands at 29.5° W.L.

11950-12200 MHz ⁵		
14000-14500 MHz	✓	✓

Because Intelsat has been authorized at the 29.5° W.L. orbital location to use all the frequencies on which Intelsat 901 will operate at this location,⁶ and because Intelsat 901 is already in-orbit and operating,⁷ grant of this modification application is not subject to milestone conditions and Intelsat is not required to post a bond under Sections 25.164(a) and 25.165 of the Commission’s rules.⁸

⁵ Intelsat 9 is capable of operating in the entire 11700-12200 MHz band. However, in response to a petition filed by Hispasat, S.A., Intelsat narrowed its request to operate at 29.5° W.L. to 11700-11950 MHz. *See* Amendment to Pending Intelsat 9 (Call Sign S2380) Modification Application, File Nos. SAT-AMD-20170208-00016 and SAT-MOD-20161110-00105, Stamp Grant at 2 n.3 (May 4, 2017); *Policy Branch Information; Actions Taken*, Report No. SAT-01236, File No. SAT-MOD-20161110-00105 (May 5, 2017) (Public Notice).

⁶ Intelsat 701, which operated at 29.5° W.L. until it was prematurely de-orbited in May 2017, was authorized to operate on all frequencies on which Intelsat 901 will operate at this location. *See Policy Branch Information; Actions Taken*, Report No. SAT-01155, File No. SAT-MOD-20160425-00040 (May 6, 2016) (Public Notice); Letter from Susan H. Crandall, Associate General Counsel, Intelsat Corporation, to Marlene H. Dortch, Secretary, FCC, Re: Intelsat 701, Call Sign: S2400 (May 26, 2017). Intelsat 9, which currently operates at 29.5° W.L., is authorized to operate on all frequencies on which Intelsat 901 will operate at this location, with the exception of the 10950-11200 MHz band. *See* Report No. SAT-01236, *supra* note 6. On June 16, 2017, Intelsat License LLC filed a letter notifying the FCC that pursuant to Article XII of the International Telecommunications Satellite Organization (“ITSO”) Agreement (“ITSO Agreement”), as amended for effectiveness as of January 16, 2017, Intelsat has not, and is not, waiving or otherwise relinquishing its Ku-band frequency assignment rights at the nominal 29.5° W.L. location so that these frequencies thus remain subject to Article XII(c)(i) of the ITSO Agreement and may not be relicensed to any other entity. *See* Letter from Susan H. Crandall, Associate General Counsel, Intelsat Corporation, to Marlene H. Dortch, Secretary, FCC, Re: Update on Use of Ku-Band Frequencies at Nominal 29.5° W.L.; Intelsat 701, Call Sign 2400, SAT-MOD-20160425-00040; Intelsat 9, Call Sign S2380, File No. SAT-MOD-20161110-001015 (filed June 16, 2017).

⁷ *See Intelsat License LLC, Modification Application to Redeploy and Operate Intelsat 16 at 58.1° W.L.*, File No. SAT-MOD-20160201-00009, Stamp Grant, Condition No. 12 (May 18, 2016).

⁸ *See* 47 C.F.R. §§ 25.164(a) and 25.165.

II. PUBLIC INTEREST SHOWING

Grant of this modification application to relocate Intelsat 901 is in the public interest because it will allow Intelsat to add capacity at the nominal 29.5° W.L. orbital location. Intelsat will operate Intelsat 901's communications payload and TT&C frequencies at 29.5° W.L. in conformance with existing coordination agreements and the FCC's rules governing operations vis-à-vis adjacent locations.⁹

III. INTELSAT ACCEPTS SECTION 316 PETITION CONDITIONS

Intelsat understands and accepts that its license to operate Intelsat 901 at 29.5° W.L. will be conditioned as follows:

- (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 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 Assembly of Parties, as amended.¹⁰

IV. 10.95-11.2 GHZ AND 11.45-11.7 GHZ FREQUENCY BANDS

Intelsat understands that operations in the 10.95-11.2 GHz and 11.45-11.70 GHz frequency bands are subject to certain limitations and obligations, which Intelsat accepts and will fulfill. For operations in these frequency bands, Intelsat accepts the following conditions:

- Intelsat's use of the 10.95-11.2 GHz and 11.45-11.70 GHz bands (space-to-Earth) are subject to 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, consistent with footnote US74.

⁹ See Engineering Statement at 5-6.

¹⁰ See *Petition of the Int'l. Telecomms. Satellite Org. under Section 316 of the Commc 'ns Act, as Amended*, Order of Modification, 23 FCC Rcd 2764, 2769-71 ¶¶ 11-13 (Int'l Bur. 2008).

- Intelsat's use of the 10.95-11.2 GHz and 11.45-11.7 GHz bands is limited to international operations in accordance with footnote NG52 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106.

V. 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 31, 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”),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:

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.