



Federal Communications Commission
Washington, D.C. 20554

April 19, 2018

Susan H. Crandall
Legal Counsel
Intelsat Corporation
7900 Tysons One Place
McLean, VA 22019-5972

RE: Application of Intelsat License LLC to Modify Authorization for
Intelsat 16, IBFS File. SAT-MOD-20180326-00025 (Call Sign
S2750)

Dear Ms. Crandall:

On March 26, 2018, Intelsat License LLC (Intelsat) filed the above-captioned application to maintain and operate the Intelsat 16 space station at the 76.2° W.L. orbital location in the 11.7-12.2 GHz and 14.0-14.5 GHz frequency bands (Ku-band frequencies).¹ For the reasons discussed below, we dismiss this application without prejudice to refile after the requested Ku-band frequencies are made available for reassignment.

Intelsat's application seeks to operate a space station at 76.2° W.L. using the same Ku-band frequencies that were previously authorized for use by DIRECTV Enterprises, LLC (DIRECTV) at 76.2° W.L. for its DIRECTV KU-76 space station.² Intelsat's application to operate Intelsat 16 at 76.2° W.L. relies on DIRECTV's authorization to operate the DIRECTV KU-76 space station at 76.2° W.L. and DIRECTV's agreement to allow Intelsat 16 to operate co-frequency at the same orbital location.³

¹ Intelsat states that although Intelsat 16 is capable of operating in the 10.7-11.45 GHz, 12.75-13.25 GHz, and 13.75-14.00 GHz frequency bands, it does not seek authority to operate in these bands at 76.2° W.L., except for the 13.9975 GHz frequency used for uplink telemetry, tracking and command. Narrative & Exhibit at 2 n.7.

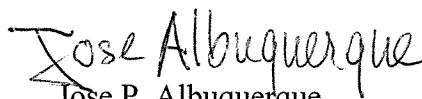
² IBFS File Nos. SAT-LOA-20121101-00190 (granted Apr. 18, 2013) & SAT-MOD-20150415-00022 (granted Sept. 17, 2015) (Call Sign S288). DIRECTV was also authorized to construct and launch a 17/24 GHz Broadcasting-Satellite Service station on DIRECTV Ku-76W, capable of operating in the 17.3-17.8 GHz and 24.75-25.25 GHz frequency bands. *Policy Branch Information: Actions Taken*, Public Notice, DA 15-1050, IBFS File No. SAT-MOD-20150415-00022 (Sept. 18, 2015).

³ Narrative & Exhibit at 3.

DIRECTV, however, recently surrendered its authorization for the DIRECTV KU-76 space station.⁴ As a result of this surrender, the Ku-band frequencies at 76.2° W.L. will be made available for reassignment under the Commission’s “first-come, first-served” procedures for licensing “GSO-like”⁵ space stations.⁶ Accordingly, Intelsat cannot rely on the prior authorization to operate the DIRECTV KU-76 space station at 76.2° W.L. or DIRECTV’s agreement to operate Intelsat 16 at the same orbital location to support its own application.

Although we dismiss the above-captioned application pursuant to section 25.112(a)(2) of the Commission’s rules,⁷ we do so without prejudice to Intelsat refiling the application after the requested frequency bands are made available for reassignment. In addition, the dismissal of the application does not negate Intelsat’s authorization to operate Intelsat 16 at the 76.2° W.L. orbital location in the 11.7-12.2 GHz and 14.0-14.5 GHz frequency bands pursuant to a grant of special temporary authority.⁸

Sincerely,


Jose P. Albuquerque
Chief, Satellite Division

⁴ Letter from Brian Regan, VP-Associate General Counsel, DIRECTV Enterprises, LLC, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-MOD-20150415-00022 (dated Apr. 17, 2018).

⁵ See 47 CFR § 25.158. The term “GSO-like satellite operation” includes operation of a geostationary orbit (GSO) satellite to communicate with earth stations with directional antennas. *Id.* at § 25.158(a).

⁶ The Commission considers an orbit location to become “available” at the time the Commission adopts an Order revoking a license in the case where the Commission revokes a license, or upon release of a public notice announcing that a license has surrendered its license in cases where the licensee surrenders its license. See *Amendment of the Commission’s Space Station Licensing Rules and Policies*, First Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 10760, 10806, para. 113 (2003).

⁷ 47 CFR § 25.112(a)(2).

⁸ See *Policy Branch Information; Actions Taken*, Public Notice, DA 17-1161, IBFS File No. SAT-STA-20171016-0140 (Dec. 1, 2017).