

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

EOS Defense Systems USA, Inc., Request)
for Authority to Modify the Audacy)
Network to: (i) Add New Service Links) SAT-MOD-20200526-00057
in the 17.7-18.6 GHz, 18.8-20.2 GHz and)
27.5-30 GHz bands and (ii) Provide)
Enhanced Feeder Link Service in the)
19.7-20.2 GHz and 29.5-30.0 GHz bands;)
Request for Waiver of Section 25.146(b))
of the Commission's rules)

COMMENTS OF TELESAT

On July 31, 2020, the International Bureau released a Public Notice accepting for filing the above-referenced application (the "Application") filed by EOS Defense Systems USA, Inc. ("EOS").¹ In its Application, EOS seeks to modify the license issued to its predecessor in interest in the initial NGSO FSS Ku/Ka-band processing round² by: (1) adding service link frequencies; and (2) providing enhanced feeder link service in two bands.

A Declaratory Ruling in that initial processing round granted Telesat Canada ("Telesat") access to the U.S. market.³ Telesat has pending an application to modify its market access grant.⁴

¹ *Public Notice, Satellite Policy Branch Information: Space Station Applications Accepted for Filing, Report No. SAT-01486* (rel. Jul 31, 2020)

² *Audacy Corporation Application for Authority to Launch and Operate a Non-Geostationary Medium Earth Orbit Satellite System in the Fixed and Inter-Satellite Services*, Order and Authorization, IBFS File No. SAT-LOA-20161115-00117 (rel. June 6, 2018).

³ *Telesat Canada, Petition for Declaratory Ruling to Grant Access to the U.S. Market for Telesat's NGSO Constellation, Call Sign S2976*, IBFS File No. SAT-PDR-20161115-00108, 32 FCC Rcd 9663 (2017).

⁴ *Telesat Canada, Application to Modify Authorization to Access US Market for Telesat's NGSO Constellation, Call Sign S2976*, IBFS File No. SAT-MPL-20200526-00053 (filed May 26, 2020).

Since EOS filed its Application well after the deadline for the initial Ku/Ka-band processing round and did not seek a waiver of the deadline, Telesat assumes the Application will be considered in the second Ku/Ka-band processing round. Telesat asks that, in keeping with Commission precedent, any grant of EOS' second-round Application be conditioned upon protecting systems, like Telesat's, that were authorized in the initial processing round.⁵ Telesat has no objection to a grant of EOS' Application on these terms.

Respectfully submitted,

TELESAT CANADA

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⁵ See, e.g., *Kuiper Systems, LLC, Application for Authority to Deploy and Operate a Ka-band Non-Geostationary Satellite Order System*, IBFS File No. SAT-LOA-20190704-00057, Order and Authorization (rel. July 30, 2020) at ¶¶ 48-50.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via first class mail on the following on August 31, 2020:

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