

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 5 (S2704)

File No. SAT-MOD-_____

**APPLICATION OF INTELSAT LICENSE LLC TO
MODIFY AUTHORIZATION FOR INTELSAT 5**

Intelsat License LLC (“Intelsat”), pursuant to Section 25.117 of the Federal Communications Commission’s (“Commission” or “FCC”) rules,¹ hereby seeks to modify the authorization for Intelsat 5 (S2704), a C- and Ku-band satellite operating in inclined orbit at 166.15° E.L. pursuant to special temporary authority (“STA”).² Specifically, Intelsat seeks to amend its license to operate Intelsat 5 at 166.15° E.L.³ Grant of this modification application

¹ 47 C.F.R. § 25.117.

² See *Satellite Policy Branch Information; Actions Taken*, Report No. SAT-01701, File No. SAT-STA-20220907-00101 (Feb. 17, 2023) (Public Notice) (“*Intelsat 5 STA*”) (granting Intelsat an additional 180 days of STA to operate Intelsat 5 at the 166.15° E.L. orbital location). Intelsat began operating Intelsat 5 in inclined orbit operations in 2012. See Letter from Susan H. Crandall, Intelsat, to Ms. Marlene H. Dortch, FCC, File No. SAT-MOD-20121002-00176 (Oct. 23, 2012). Intelsat 5 is licensed to operate at the 137.0° W.L orbital location. See *Satellite Policy Branch Information; Actions Taken*, Report No. SAT-01538, File No. SAT-MOD-20201222-00150 (Mar. 19, 2021) (Public Notice) (“*Intelsat 5 Authorization*”) (extending the license term for Intelsat 5, authorized to operate at 137.0° W.L., through November 30, 2024).

³ The Commission’s rules permit extension and modification applications in the 3700-4200 MHz band and these applications are not subject to the FCC’s 2018 filing freeze on new fixed satellite service space station applications. See 47 C.F.R. § 2.106 n. NG182 (“In the band 3700-4200 MHz ... [a]pplications for extension, cancellation, replacement, or modification of existing space station authorizations in the band will continue to be accepted and processed normally.”); *International Bureau Announces Temporary Filing Freeze on New Fixed-Satellite Service Space*

would serve the public interest by allowing Intelsat to continue providing additional capacity from the nominal 166° E.L. orbital location.

In accordance with the Commission’s rules, this application has been filed electronically as an attachment to FCC Form 312 and Intelsat provides technical information relating to this modification in the accompanying Engineering Statement, Schedule S, and .gxt files.⁴

Additionally, Intelsat will operate Intelsat 5 in accordance with the Commission’s C-band Order and footnote NG182 of the U.S. Table of Frequency Allocations.⁵

I. REQUEST TO OPERATE INTELSAT 5 AT 166.15° E.L.

Intelsat herein requests authority to operate Intelsat 5 at 166.15° E.L. in the following frequencies:

Frequencies:	3700-4200 MHz (space-to-Earth) 5925-6425 MHz (Earth-to-space) 10.7-10.95 GHz (space-to-Earth) 11.2-11.45 GHz (space-to-Earth) 11.45-11.7 GHz (space-to-Earth) 12.75-13.25 GHz (Earth-to-space) 14.0-14.25 GHz (Earth-to-space) Telemetry, Tracking, and Command (TT&C”) center frequencies: 11.451 GHz, 11.452 GHz, and 11.454 GHz (space-to-Earth) 13.999 GHz and 14.498 GHz (Earth-to-space)
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Station Applications in the 3.7-4.2 GHz Band, Public Notice, 33 FCC Rcd 6119 (2018) (“The freeze does not apply to applications for modification of existing authorizations, relocations of existing space stations pursuant to the Commission’s fleet management policy, or to applications for replacement space stations.”); *see also Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Order of Proposed Modification, 35 FCC Rcd 2343, ¶ 115 n. 327 (2020).

⁴ 47 C.F.R. §§ 25.117(b), (c), 25.114.

⁵ Intelsat has sought reconsideration to allow its continued access to 500 MHz at its consolidated international TT&C/gateway sites on a protected basis to ensure C-band service continuity to customers on its international C-band satellites. *See Intelsat License LLC Petition for Reconsideration*, GN Docket No. 18-122 (filed May 26, 2020).

Intelsat 5 is currently licensed to operate at 137.0° W.L.,⁶ and was redeployed to 166.15° E.L. in early 2022,⁷ where it is currently operating pursuant to STA.⁸ At 166.15° E.L., Intelsat 5 is nominally co-located with Intelsat 19 (S2850), which is licensed to operate at 166.0° E.L.⁹ The specific communications frequencies associated with both satellites are as follows:

	Intelsat 5	Intelsat 19
3700-4200 MHz	✓	✓
5925-6425 MHz	✓	✓
10.7-10.95 GHz	✓	
11.2-11.45 GHz	✓	
11.45-11.7 GHz	✓	
12.25-12.75 GHz		✓
12.75-13.25 GHz	✓	
14.0-14.25 GHz	✓	✓
14.25-14.5 GHz		✓

⁶ See *Intelsat 5 Authorization*. While the *Intelsat 5 Authorization* does not include all of the Ku-band frequencies on Intelsat 5, the Commission has previously authorized Intelsat 5, formerly known as PAS-9, to utilize all of the bands requested in this application. See *PanAmSat Licensee Corp., Application for Authority to Construct, Launch, and Operate an Expansion Band Satellite in its Separate International Communications Satellite System*, Order and Authorization, 13 FCC Rcd 4743, ¶¶ 5, 12 (1997). Additionally, Intelsat 5 is currently operating in the extended Ku-band frequencies not authorized in the existing license at 137.0° W.L.—in addition to the C- and Ku-band frequencies identified on its existing license—at 166.15° E.L. pursuant to STA. See *Intelsat 5 STA*.

⁷ See *Satellite Policy Branch Information; Actions Taken*, Report No. SAT-01604, File No. SAT-STA-20220121-00010 (Mar. 18, 2022) (Public Notice).

⁸ See *Intelsat 5 STA*.

⁹ See *Satellite Policy Branch Information; Actions Taken*, Report No. SAT-00925, File No. SAT-MOD-20120628-00107 (Jan. 18, 2013) (Public Notice) (“*Intelsat 19 Authorization*”) (authorizing Intelsat to provide FSS at 166.0° E.L. in the 12.25-12.75 GHz band in ITU Region 2 in addition to its existing licensed frequencies); see also *Satellite Policy Branch Information; Actions Taken*, Report No. SAT-00871, File No. SAT-RPL-20111222-00245 (June 1, 2012) (Public Notice) (authorizing Intelsat to construct, launch, and operate Intelsat 19, a C- and Ku-band satellite, at the 166.0° E.L. orbital location).

II. EXTENSION OF WAIVERS PREVIOUSLY GRANTED

To the extent necessary and out of an abundance of caution, Intelsat requests that the Commission extend the previously granted waivers of its rules for the reasons set forth in its existing authorization.¹⁰ Specifically, Intelsat requests that the Commission extend waiver of the following FCC rules: NG52 of the U.S. Table of Frequency Allocations, Section 2.106, to use the 11.45-11.7 GHz band to offer domestic services on an unprotected, non-harmful interference basis in the U.S.;¹¹ Section 25.114(c)(4)(vi)(A), which requires applicants to provide predicted space station antenna gain contours for each transmit and receive antenna beam requested;¹² and Section 25.210(f), which requires full frequency reuse of the 11.45-11.7 GHz and 14.0-14.25 GHz bands.¹³

III. PUBLIC INTEREST SHOWING

Grant of this application would serve the public interest by allowing Intelsat to continue providing additional capacity from the nominal 166° E.L. orbital location.

Further, grant of this application will not result in an increased risk of harmful interference. Intelsat will continue to operate the Intelsat 5 satellite's communications payload and TT&C frequencies at 166.15° E.L. in conformance with applicable coordination agreements and the FCC's rules governing operations vis-à-vis adjacent locations.

¹⁰ See *Intelsat License LLC, Application to Modify Authorization for Intelsat 5*, Stamp Grant, File No. SAT-MOD-20201222-00150 (2021) ("*Intelsat 5 Stamp Grant*").

¹¹ See *id.* at 2, Condition 10. See generally 47 C.F.R. § 2.106.

¹² See *Intelsat 5 Stamp Grant* at 3, Condition 13. See generally 47 C.F.R. § 25.114(c)(4)(vi)(A).

¹³ See *Intelsat 5 Stamp Grant* at 3, Condition 11. See generally 47 C.F.R. § 25.210(f).

IV. REQUEST FOR GRANT WITHOUT MILESTONES OR A BOND

Intelsat 5 is already in-orbit and operating at 166.15° E.L. Therefore, 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.¹⁴

V. CONCLUSION

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

Respectfully submitted,

Intelsat License LLC

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March 8, 2023

¹⁴ See 47 C.F.R. §§ 25.164(a) and 25.165.

Exhibit A

FCC Form 312, Response to Question 34: Foreign Ownership

The Commission previously approved Intelsat's ownership structure, including foreign ownership.¹ There have been no material changes to Intelsat's ownership since the *2022 Intelsat Order*.

¹ See *Intelsat S.A., as debtor-in-possession (Transferor) and New TopCo S.A. (Transferee)*, Order, IBFS File No. SAT-ASG-20210826-00117, IB Docket No. 21-375, DA-22-162 (rel. Feb. 16, 2022) ("*2022 Intelsat Order*").

Exhibit B

FCC Form 312, Response to Question 40: Officers, Directors, and Ten Percent or Greater Shareholders

Intelsat License LLC is a Delaware limited liability company. The officers and directors/managers of Intelsat License LLC are as follows:

Officers:

José Toscano, Deputy Chairman
Michelle Bryan, General Counsel, Chief
Administrative Officer, and Secretary
Mirjana Hervy, Director, Finance

Board of Managers:

José Toscano
Michelle Bryan

The business address of all Intelsat License LLC officers and members of the Board of Managers is: 7900 Tysons One Place, McLean, Virginia 22102.

Intelsat License LLC is a Delaware limited liability company that is indirectly wholly owned by Intelsat S.A. (formerly named Intelsat Emergence S.A.). Specifically, Intelsat License LLC is wholly owned by Intelsat License Holdings LLC, a Delaware limited liability company. Intelsat License Holdings LLC is wholly owned by Intelsat Ventures S.à r.l., a Luxembourg company, which is in turn wholly owned by Intelsat Alliance LP, a Delaware limited partnership. Intelsat Alliance LP is managed by one general partner (Intelsat Genesis GP LLC, a Delaware limited liability company) and two limited partners (Intelsat Genesis Inc., a Delaware corporation, and Intelsat Jackson Holdings S.A., a Luxembourg company). Intelsat Genesis GP LLC is wholly owned by Intelsat Genesis Inc., which is wholly owned by Intelsat Jackson Holdings S.A. Intelsat Jackson Holdings S.A. is wholly owned by Intelsat Connect Finance S.à r.l., a Luxembourg company, which in turn is wholly owned by Intelsat Envision Holdings LLC, a Delaware limited liability company. Intelsat Envision Holdings LLC is wholly owned by Intelsat (Luxembourg) S.à r.l., a Luxembourg company. Intelsat (Luxembourg) S.à r.l. is wholly owned by Intelsat Investments S.à r.l., a Luxembourg company, which in turn is wholly owned by Intelsat Holdings S.à r.l., a Luxembourg company. Intelsat 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.

Pacific Investment Management Company LLC (“PIMCO”), a Delaware limited liability company, serves as the manager or investment advisor for a number of investment funds and other investment vehicles that each hold less than 10% of the voting and non-voting equity interests in Intelsat S.A. However, to the best of Intelsat’s knowledge, as of August 23, 2022, the aggregate total of the voting and non-voting equity interests in Intelsat S.A. held by PIMCO-managed funds and certain parent entities of PIMCO exceeded 10%. Details regarding PIMCO are listed below.

PIMCO

Name: Pacific Investment Management Company LLC
Address: 650 Newport Center Drive, Newport Beach, CA
92660
Citizenship: United States (Delaware)
Indirect Voting Interest: Approximately 32.99%
Indirect Non-Voting Interest: Approximately 32.99%

A complete list of the investment funds and entities collectively controlling a 10% or greater indirect voting and indirect non-voting interest in Intelsat S.A. is set forth in Intelsat's 2022 application for consent to the assignment and transfer of control of authorizations.¹

¹ See Application for Assignment and Transfer of Control of Authorizations held by Intelsat License LLC, as debtor-in-possession, IBFS File No. SAT-ASG-20210826-00117 (filed Aug. 26, 2021).