

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Intelsat License LLC

Application to Modify Authorization for
Intelsat 37e (S2972)

ICFS File No.

SAT-LOA-20160915-00089

SAT-MOD-_____

APPLICATION TO MODIFY AUTHORIZATION OF INTELSAT 37E

Intelsat License LLC (“Intelsat”), pursuant to Section 25.117 of the Federal Communications Commission’s (“Commission” or “FCC”) rules,¹ hereby seeks modification of the authorization for Intelsat 37e (S2972), a C-, Ku-, and Ka-band satellite currently operating at 18.0° W.L.² Specifically, Intelsat requests modification of the license for Intelsat 37e to grant a permanent waiver of Footnote NG52 of the U.S. Table of Frequency Allocations to permit the operation of domestic links that include the 10.7-11.7 GHz (space-to-Earth) frequency band.³ Intelsat 37e is currently operating in the 10.7-11.7 GHz band pursuant to a grant of Special Temporary Authority waiving NG52.⁴

¹ 47 C.F.R. § 25.117.

² See *Intelsat License LLC Application to Launch and Operate Intelsat 37e*, Stamp Grant, ICFS File No. SAT-LOA-20160915-00089 (granted June 8, 2017) (“*Intelsat 37e Authorization*”).

³ 47 C.F.R. § 2.106, NG52. Footnote NG52 was formerly footnote NG104.

⁴ See *Intelsat License LLC Request for 30-day STA*, Stamp Grant, Condition 2, ICFS File No. SAT-STA-20250630-00124 (granted July 11, 2025) (granting waiver of NG52 for Intelsat 37e’s domestic operations in the 10.7-11.7 GHz frequency band); *Intelsat License LLC Request for 30-day Extension of STA*, Stamp Grant, ICFS File No. SAT-STA-20260303-00110 (granted Mar. 17, 2026) (granting 30-day extension temporary operations subject to waiver of NG52, through April 5, 2026).

This Modification Application seeks only to obtain a permanent waiver of NG52. All other operational and technical parameters provided in Intelsat 37's current authorization remain unchanged and are incorporated by reference.⁵ Intelsat will continue to operate Intelsat 37e in accordance with the Commission's *C-band Order* and Footnotes NG182 and NG457A of the U.S. Table of Frequency Allocations, and pursuant to Section 316 Petition Conditions applicable to its operations.⁶

I. REQUEST TO WAIVE FOOTNOTE NG52 OF THE U.S TABLE OF FREQUENCY ALLOCATIONS.

To the extent necessary, Intelsat requests waiver of Footnote NG52 of the Table of Allocations to operate Intelsat 37e at 18.0° W.L. using domestic links that include the 10.7-11.7 GHz (space-to-Earth) frequency band. Footnote NG52 restricts the use of 10.95-11.2 GHz and 11.45-11.7 GHz bands by the non-federal Fixed Satellite Service ("FSS") in geostationary orbit ("GSO") to international systems only, except in the case of Earth Stations in Motion covered by footnote NG527A.⁷

Under Section 1.3 of the Commission's rules, the Commission has authority to waive its rules "for good cause shown."⁸ Good cause exists if "special circumstances warrant a deviation from the general rule and such deviation" will serve the public interest" better than adherence to the general rule.⁹ In determining whether waiver is appropriate, the Commission should "take into account considerations of hardship, equity, or more effective implementation of overall

⁵ See *Intelsat 37e Authorization* Legal Narrative. *Id.* Engineering Statement.

⁶ *Id.* Legal Narrative at 8. See also *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Order of Proposed Modification, FCC 20-22 (2020).

⁷ 47 C.F.R. § 2.106, NG52, NG527A.

⁸ *Id.* § 1.3; *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

⁹ *N.E. Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

policy.”¹⁰ Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

The purpose of NG52 is to limit the number of FSS earth stations with which co-primary Fixed Services (“FS”) would need to coordinate.¹¹ The FCC has previously found that waiving NG52 would not undermine the purpose the rule if (a) the party seeking the waiver is only downlinking in the band and agrees to “accept any level of interference from FS stations” in these bands;¹² or (b) the proposed operations “involve only a small number of feeder link earth stations and thus will not hinder the development of terrestrial fixed services that share the band on a co-primary basis.”¹³ Consistent with Commission precedent, Intelsat requests a waiver of NG52 to enable domestic services in the 10.7-11.7 GHz (space-to-Earth) frequencies only if such operations are on an unprotected basis,¹⁴ or on a protected basis with only a small number of gateway earth stations.¹⁵ Each of the gateway earth stations operated in this way would be separately coordinated and licensed in the usual course.

¹⁰ *WAIT Radio*, 418 F.2d at 1159.

¹¹ *See Amendment of Part 2 of the Commission’s Rules to Confirm with the Geneva Radio Regulations*, Report & Order, 26 RR 2d 1257, 1262-65 (1973). *See also EchoStar KuX Corporation Application for Authority to Construct, Launch and Operate a Geostationary Satellite Using the Extended Ku-band Frequencies in the Fixed-Satellite Service at the 83° W.L. Orbital Location*, Order and Authorization, DA 04-3162 ¶¶ 9-13 (IB 2004). (“*EchoStar 83° Waiver*”).

¹² *See id.*; *PanAmSat Licensee Corp., Application for Authority to Use the Extended Ku-band Frequencies for Domestic Service*, Order and Authorization, DA 05-2444 ¶¶ 9-11 (IB 2005) (“*PanAmSat Waiver*”); *Intelsat License LLC Application for Authority to Launch and Operate Galaxy 14R*, Stamp Grant, Condition 6, ICFS File No. SAT-LOA-20170524-00079 (granted Nov. 14, 2018) (granting a waiver of NG52 to use the 10.7-11.7 GHz band to offer domestic services on an unprotected, non-harmful interference basis) (“*Galaxy 14R Waiver*”).

¹³ *See Mobile Satellite Ventures Subsidiary LLC*, DA 05-1492, Order and Authorization, ICFS File No. SAT-LOA-19980702-00066 ¶ 39 (IB 2005) (“*Mobile Satellite Order*”).

¹⁴ *See Echostar 83° Waiver; PanAmSat Waiver; Galaxy 14R Waiver*.

¹⁵ *Mobile Satellite Order*.

For domestic operations that are allowed under the waiver on an unprotected basis, Intelsat also agrees to abide by the customer notification requirements that the Commission has previously imposed when granting waivers of NG52.¹⁶ Intelsat will inform its customers in writing, including any customers receiving end-user services from resellers accessing capacity on Intelsat 37e, of the potential for interference from FS operations in the 10.7-11.7 GHz frequency band. Grant of a waiver under these circumstances would not undermine the purpose of NG52 and would be consistent with the public interest.

II. PUBLIC INTEREST SHOWING

Grant of the instant application is in the public interest because it will allow Intelsat to provide domestic service in the 10.7-11.7 GHz frequency band using Intelsat 37e and expand service capacity to better meet customer demand from the 18.0° W.L. orbital location.

III. CONCLUSION

For the reasons set forth above, Intelsat respectfully requests that the Commission grant this application and waiver of NG52 requested herein.

Respectfully submitted,

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/s/ Daniel C.H. Mah
Daniel C.H. Mah
Vice President, Legal & Regulatory Affairs
SES Americom, Inc.

on behalf of Intelsat License LLC

April 1, 2026

¹⁶ *Galaxy 14R Waiver* Condition 6; *EchoStar 83° Waiver* ¶ 13; *PanAmSat Waiver* ¶ 11.

Exhibit A

FCC Form 312, Response to Question 34: Foreign Ownership

Intelsat License LLC (“Intelsat”) is a Delaware limited liability companies that is indirectly wholly owned by SES S.A. The Commission most recently approved foreign ownership in Intelsat License LLC (“Intelsat”) in the *SES-Intelsat Order*, wherein the Space Bureau authorized the transfer of control of Intelsat.¹ There have been no material changes to Intelsat’s ownership since the *SES-Intelsat Order*.

¹ See *Intelsat S.A. (Transferor) and SES S.A. (Transferee)*, Memorandum Order and Opinion, SB Docket No. 24-267, DA-25-614, ICFS File Nos. SAT-T/C-20240530-00116, SAT-T/C-20240530-00117, SAT-MPL20240809-00176, SAT-MPL-2024080900177, SAT-MPL-20240809-00179, SEST/C-20240530-01222, SES-T/C-2024060301221 (rel. Jul. 11, 2025) (“*SES-Intelsat Order*”).

Exhibit B

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

The officers of Intelsat License LLC are as follows:

Aaron Shourie, Chairman
Nancy Eskenazi, Deputy Chairman
Diane Watkinson, VP, Tax
Stephanie Finn, Secretary
Mirjana Hervy, Director, Finance

The business address of all Intelsat License LLC officers is 7900 Tysons One Place, McLean, Virginia 22102.

Intelsat License LLC is a Delaware limited liability company that is indirectly wholly owned by SES S.A. Specifically, Intelsat License LLC is wholly owned by Intelsat License Holdings LLC, also 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 and two limited partners—Intelsat Genesis GP LLC, Intelsat Genesis Inc., and Intelsat Jackson Holdings S.à r.l., respectively. Intelsat Genesis GP LLC is a Delaware limited liability company, which is wholly owned by Intelsat Genesis Inc., a Delaware corporation.

Intelsat Genesis Inc. is a wholly owned subsidiary of Intelsat Jackson Holdings S.à r.l., a Luxembourg company. Intelsat Jackson Holdings S.à r.l. is wholly owned Intelsat Holdings S.à r.l., a Luxembourg company. Intelsat Holdings S.à r.l. is wholly owned by SES S.A., a Luxembourg company. Each of these entities may be contacted at the following address: Château de Betzdorf, L-6815 Betzdorf, Grand Duchy of Luxembourg.

The names, addresses, and citizenship of stockholders owning of record and/or voting 10 percent or more of SES S.A. voting stock as of July 22, 2025, are:

The **Etat du Grand Duché de Luxembourg** (the “State of Luxembourg”) – and **Banque et Caisse d’Epargne de l’Etat** (“BCEE”) and **Société Nationale de Crédit et d’Investissement** (“SNCI”), each of which is a financial institution 100% owned by the State of Luxembourg, hold Class B shares of SES S.A. representing a combined effective economic interest of 16.67% and effective voting interest of 33.33%. In addition, SES S.A. understands that the State of Luxembourg, BCEE, and SNCI hold a limited number of publicly traded Fiduciary Deposit Receipts (“FDRs”). According to publicly available information as of January 6, 2025, the State of Luxembourg held FDRs representing an economic interest of 1.36% and voting interest of 1.09%. According to SNCI’s 2024 Annual Report, it held FDRs representing an ownership interest of 1.59% as of December 31, 2024. According to the BCEE Annual Report from 2024, BCEE held FDRs representing a 0.92% ownership interest. SES S.A. does not know how many FDRs these

entities may have acquired or disposed of since those dates, as they are entitled to buy and sell FDRs without notice to SES S.A. The principal business of both BCEE and SNCI is financial services.

The address for the State of Luxembourg is Ministry of State, Department of Media, Connectivity, and Digital Policy, 5, rue Plaetis, L-2338 Luxembourg.

The addresses of BCEE and SNCI are as follows:

Banque et Caisse d'Epargne de
l'Etat 1, place de Metz
L-1930 Luxembourg

Société Nationale de Crédit et
d'Investissement 7, rue du Saint-Esprit
L-1475 Luxembourg

Atlas Infrastructure Partners (UK) Ltd ("Atlas") holds a 13.5% economic interest and a 10.9% voting interest in SES S.A. Atlas, a U.K. company, is an investment fund and has the below address:

Atlas Infrastructure Partners (UK) Ltd
3rd Floor, 25 Watling St.,
London EC4M 9BR, United Kingdom

The Lazard Entities: Lazard Asset Management, LLC, a U.S. investment advisor and hedge fund, and Lazard Asset Management Pacific Company, an Australian investment advisor and wholly owned subsidiary of Lazard Asset Management, LLC, combined hold a 13.4% economic interest and a 10.8% voting interest in SES S.A. The addresses of the Lazard Entities are as follows:

Lazard Asset Management, LLC
30 Rockefeller Plaza
New York, NY 10112

Lazard Asset Management Pacific Company
Level 12 Gateway
1 Macquarie Place
Sydney, NSW, 2000