

S2886 SAT-MPL-20130319-00049 IB2013000644
HISPAMAR SATELITES, S.A.
AMAZONAS-3



File # SAT-MPL-20130319-00049

Call Sign S2886 Grant Date 08/01/13
(or other identifier)

From 08/01/13 Term Dates see
To: conditions

Approved: Stephen J. Duall

Stephen J. Duall
Chief, Satellite Policy Branch

Approved by OMB
3060-0678

Date & Time Filed: Mar 19 2013 2:01:36:336PM
File Number: SAT-MPL-20130319-00049

*with conditions

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD – MAIN FORM	FCC Use Only
FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	

APPLICANT INFORMATION


Enter a description of this application to identify it on the main menu:

Modification to S2886 to add Ka band frequencies to Permitted List-Amazonas-3

1-8. Legal Name of Applicant			
Name:	HISPAMAR SATELITES, S.A.	Phone Number:	202-467-6400
DBA Name:		Fax Number:	202-296-6892
Street:	7703 Arrowood Ct.	E-Mail:	don@jansky-barmat.com
City:	Bethesda	State:	MD
Country:	USA	Zipcode:	20817 -
Attention:	Mr Donald M Jansky		

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10. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the public notice indicating this action was taken.

 GRANTED* International Bureau *with conditions	File # <u>SAT-MPL-20130319-00049</u>
	Call Sign <u>S2886</u> Grant Date <u>08/01/13</u> (or other identifier)
	From <u>08/01/13</u> Term Dates <u>see</u> To: <u>conditions</u>
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

Hispamar Satélites, S.A.
IBFS File No. SAT-MPL-20130319-00049
Call Sign S2886

The petition of Hispamar Satélites, S.A. (Hispamar) to modify its grant of U.S. market access by adding the Amazonas-3 space station (Call Sign S2886) at the 61° W.L. orbital location to the Commission's Ka-band Permitted List, IBFS No. SAT-MPL-20130319-00049, is GRANTED.¹ The operations of the Amazonas-3 space station addressed by this grant are licensed by the Administration of Brazil. Accordingly, each U.S. earth station with "ALSAT" or "Permitted List" designated as a point of communication is authorized to access the Amazonas-3 space station at 61° W.L. to provide Fixed-Satellite Service (FSS) in the 18.3-18.8 GHz (space-to-Earth), 19.7-20.2 GHz (space-to-Earth), 28.35-28.6 GHz (Earth-to-space), and 29.5-30.0 GHz (Earth-to-space) frequency bands, to, from, or within the United States, subject to the parameters set forth in the earth station license. In addition, we grant U.S. market access for Amazonas-3 to operate in the 28.10-28.35 GHz (Earth-to-space) frequency band on a secondary basis for gateway Earth station operations only. Communications between U.S.-licensed earth station and the Amazonas-3 space station must be in accordance with the terms, conditions, and technical specifications contained in Hispamar's petition and the Federal Communications Commission's rules not waived herein, and are subject to the following conditions:

1. Communications between U.S.-licensed earth stations and the Amazonas-3 space station must be in compliance with all existing and future space station coordination agreements reached between Brazil and other Administrations.

2. Communications between U.S.-licensed earth stations and the Amazonas-3 space station at the 61° W.L. orbital location are conditioned on Hispamar maintaining the Amazonas-3 space station with an east/west longitudinal station-keeping tolerance of +/- 0.05 degrees.

3. Hispamar is authorized to use the 28.10-28.35 GHz (Earth-to-space) frequency band on a secondary basis for gateway Earth station operations only. This band is designated on a primary basis to the Local Multipoint Distribution Service (LMDS). *See* Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services, *Third Report and Order*, FCC 97-378, 12 FCC Rcd 22310 (1997). Accordingly, Hispamar's operations must be on an unprotected, non-interference basis relative to LMDS, in accordance with 47 C.F.R. § 2.105(c)(2). Hispamar shall not cause harmful interference to, nor claim protection from, authorized LMDS stations in the 28.10-28.35 GHz frequency band that are presently assigned, or that may be assigned in the future. Hispamar must terminate operations immediately upon notification of such interference. In addition, Hispamar may not claim protection from interference from LMDS stations authorized to operate in this band.

4. Hispamar's request for partial waiver of Sections 25.210(a) and (b) of the Commission's rules is granted, subject to conditions. Sections 25.210 (a) and (b) require C and Ka-band FSS space stations using orthogonal linear polarization to be capable of switching polarization sense upon ground command. The Commission requires polarity-switching capability for two reasons: (1) to provide U.S.-licensed space stations with the flexibility to operate at different orbital locations; and (2) to mitigate potential interference between adjacent fixed space station systems transmitting analog television signals. *See* Telesat Canada, *Order*, 22 FCC Rcd 588, ¶ 10 (Int'l Bur., Sat. Div. 2007). The Amazonas-3 space

¹ This application was placed on Public Notice. *See*, Policy Branch Information, *Public Notice*, Report No. SAT-00954 (June 14, 2013). No comments were filed in response to the Notice. The Satellite Division previously added Amazonas-3 at 61° W.L. to the Commission's C- and Ku-band Permitted Space Station List. *See* Hispamar Satélites, S.A., IBFS File No. SAT-PPL-20121018-00183 (granted Mar. 14, 2013).

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station will use both senses of orthogonal polarization for the Ka-band and thus cannot reverse polarization from the ground. This partial waiver is based on the finding that the Amazonas-3 space station will be employing full frequency reuse through the use of orthogonal polarizations within the same beam and through the use of spatially independent beams for the Ka-band, fulfilling Sections 25.210(d) and 25.210(f). Consequently, this requirement in Sections 25.210(a) and (b) can not be met. The ability to switch polarization is not necessary in this instance to protect other space stations at adjacent orbital locations from interference because Amazonas-3's operations will be in compliance with existing coordination agreements. This waiver is conditioned on Hisparmar accommodating future space station networks that comply with Sections 25.210(a) and (b), and on Amazonas-3 operating pursuant to any existing or future coordination agreements for this location.

5. Hisparmar's request to waive Section 25.210(i) of the Commission's rules is granted, as conditioned. Section 25.210(i) requires FSS space station antennas to provide a cross polar isolation such that the ratio of the on axis co-polar gain to the cross polar gain of the antenna in the assigned frequency band is at least 30 dB within its primary coverage area. Hisparmar states that Amazonas-3's cross-polarization isolation for the Ka-band antennas will be 26 dB, and that this level will have a negligible impact on adjacent satellites. We concur and find that a waiver is warranted. Such a cross-polarization isolation performance level will have a negligible impact on adjacent satellites and have been taken into account in the link budgets and interference analysis. As a condition of the grant of this waiver, Hisparmar can claim no more protection from or cause interference to other licensed radio-communication systems operating in accordance with the Commission's rules than it could claim if Amazonas-3's operations complied with Section 25.210(i).

6. Consistent with the technical specifications in its application, the power flux density (pfd) for Hisparmar's Ka-band space-to-Earth operations in the 18.3-18.8 GHz and 19.7-20.2 GHz frequency bands must not exceed -123.5 dBW/m²/MHz at any angle of arrival. Based on Hisparmar's operating with this pfd of -123.5 dBW/m²/MHz, the pfd limit contained in 47 C.F.R. § 25.208(d) and International Telecommunication Union Article 21.16.2 for the 18.6-18.8 GHz frequency band will also be met.

7. The Amazonas-3 space station is added to the Ka-band Permitted List at the 61° W.L. orbital location for the 28.35-28.6 GHz (Earth-to-space), 29.5-30.0 GHz (Earth-to-space), 18.3-18.8 GHz (space-to-Earth), and 19.7-20.2 GHz (space-to-Earth) frequency bands; however, until Amazonas-3 has completed coordination pursuant to Footnote US334 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, and both the FCC and the National Telecommunications and Information Administration have approved the coordination, U.S.-licensed earth stations are not permitted to communicate with the Amazonas-3 space station in the 18.3-18.8 or 19.7-20.2 GHz frequency bands. *See* Revision of Part 25 Establishment of a Permitted List Procedure for Ka-band Space Stations, *Declaratory Order*, 25 FCC Rcd 1542 (2010).

8. This grant of market access will terminate in the event the Amazonas-3 space station is relocated from the 61° W.L. orbital location or ceases to operate. In either case, Amazonas-3 will be removed from the Ka-band Permitted List. If Hisparmar seeks to provide service to the U.S. using another space station or seeks to operate Amazonas-3 from another location, it must file a new petition to have the station placed on the Ka-band Permitted List.

9. Hisparmar is afforded thirty days from the date of this action to decline this grant as conditioned. Failure to respond within this period will constitute a formal acceptance of the grant as conditioned.

9-16. Name of Contact Representative

Name:	Jansky-barmat telecommunications inc.	Phone Number:	202-467-6400
Company:		Fax Number:	202-296-6892
Street:	7703 Arrowood Ct.	E-Mail:	don@jansky-barmat.com
City:	Bethesda	State:	MD
Country:	USA	Zipcode:	20817-
Attention:		Relationship:	

CLASSIFICATION OF FILING

<p>17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.</p> <p><input type="radio"/> a1. Earth Station</p> <p><input checked="" type="radio"/> a2. Space Station</p>	<p>(N/A) b1. Application for License of New Station</p> <p>(N/A) b2. Application for Registration of New Domestic Receive-Only Station</p> <p><input type="radio"/> b3. Amendment to a Pending Application</p> <p><input checked="" type="radio"/> b4. Modification of License or Registration</p> <p>b5. Assignment of License or Registration</p> <p>b6. Transfer of Control of License or Registration</p> <p><input type="radio"/> b7. Notification of Minor Modification</p> <p>(N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite</p> <p>(N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States</p> <p>(N/A) b10. Other (Please specify)</p> <p>(N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States</p> <p>(N/A) b12. Application for Database Entry</p> <p><input type="radio"/> b13. Amendment to a Pending Database Entry Application</p> <p><input type="radio"/> b14. Modification of Database Entry</p>
<p>17c. Is a fee submitted with this application?</p> <p><input type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).</p> <p><input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee</p> <p><input checked="" type="radio"/> Other (please explain): In orbit non-US space station</p>	
<p>17d.</p> <p>Fee Classification</p>	

<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station: S2886</p>	<p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number:</p> <p>(a) Date pending application was filed: (b) File number: SATPPL2012101800183</p>
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TYPE OF SERVICE

<p>20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:</p> <p><input checked="" type="checkbox"/> a. Fixed Satellite</p> <p><input type="checkbox"/> b. Mobile Satellite</p> <p><input type="checkbox"/> c. Radiodetermination Satellite</p> <p><input type="checkbox"/> d. Earth Exploration Satellite</p> <p><input type="checkbox"/> e. Direct to Home Fixed Satellite</p> <p><input type="checkbox"/> f. Digital Audio Radio Service</p> <p><input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p><input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply.</p> <p><input type="checkbox"/> Using U.S. licensed satellites</p> <p><input type="checkbox"/> Using Non-U.S. licensed satellites</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p><input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

a. C-Band (4/6 GHz) b. Ku-Band (12/14 GHz)

c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: 17800 Frequency Upper: 20200 (Please specify additional frequencies in an attachment)

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- a. Fixed Earth Station
- b. Temporary-Fixed Earth Station
- c. 12/14 GHz VSAT Network
- d. Mobile Earth Station
- e. Geostationary Space Station
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY:

Transmit/Receive Transmit-Only Receive-Only N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- a -- authorization to add new emission designator and related service
- b -- authorization to change emission designator and related service
- c -- authorization to increase EIRP and EIRP density
- d -- authorization to replace antenna
- e -- authorization to add antenna
- f -- authorization to relocate fixed station
- g -- authorization to change frequency(ies)
- h -- authorization to add frequency
- i -- authorization to add Points of Communication (satellites & countries)
- j -- authorization to change Points of Communication (satellites & countries)
- k -- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l -- authorization to change orbit location
- m -- authorization to perform fleet management
- n -- authorization to extend milestones
- o -- Other (Please specify)

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments. Yes No

ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No
30. Is the applicant an alien or the representative of an alien?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

Yes No N/A

34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

Yes No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances

Yes No

39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.

Yes No

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.

Yes No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.

Yes No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

The purpose of this amendment to call sign S2886, SAT-20121018-00183 is to add the specified Fixed Satellite Service frequencies on Amazonas-3 at 61 W to the Permitted List.

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing
Vicente Rubio Carreton

→

46. Title of Person Signing
Director Regulatory Affairs

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

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