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

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In the Matter of	
SES SATELLITES (GIBRALTAR) LTD.	
Petition to Modify U.S. Market Access for SES-15	

File No. SAT-MPL-____ Call Sign S2951

PETITION TO MODIFY U.S. MARKET ACCESS AUTHORIZATION

SES Satellites (Gibraltar) Ltd. ("SES Gibraltar," doing business as "SES") hereby requests modification of its authority to use the Gibraltar-licensed SES-15 spacecraft to serve the U.S. market from 129.15° W.L.¹ The purpose of this modification is to seek any necessary change to Condition 15 of the SES-15 Grant, which requires SES-15 to begin providing service to the United States at 129.15° W.L. in the conventional Ku-band frequencies before AMC-1 discontinues service at that location. As discussed herein, given unusual circumstances surrounding the transfer of Ku-band traffic from AMC-1 to SES-15, relocation of AMC-1 is proposed to occur before SES-15 arrives at 129.15° W.L. Because this move will enable continuity of service to customers at this orbital location, consistent with the rationale underlying Condition 15, grant of the requested modification will serve the public interest.

A completed FCC Form 312 is attached. SES incorporates by reference the information previously submitted in support of the request for U.S. market access for SES-15 and certifies that, apart from the matters addressed herein, there is no change in the information regarding SES-15.

¹ See SES Satellites (Gibraltar) Ltd., File Nos. SAT-PPL-20160126-00007, granted July 12, 2016, & SAT-MPL-20160718-00063, granted Dec. 14, 2016 (the "SES-15 Grant").

BACKGROUND

As discussed in the prior filings for SES-15, SES Americom, an affiliate of SES Gibraltar, currently operates the AMC-1 spacecraft at 129.15° W.L. under U.S. license.² SES-15 will provide follow-on service at 129.15° W.L. in the conventional Ku-band frequencies. The grant of U.S. market access for SES-15 specifies that the satellite must commence Ku-band operations at 129.15° W.L. before AMC-1 "discontinues service" at that location.³

In preparation for the arrival of SES-15 at 129.15° W.L., SES Americom has requested authority to relocate AMC-1 to an adjacent orbital location, 130.9° W.L.⁴ However, rather than waiting to begin the relocation process until after SES-15 is on station, SES Americom proposes to start drifting AMC-1 westward prior to SES-15's arrival and to provide service to customers during the drift.

As explained in the AMC-1 Modification, this approach is necessary because transfer of traffic from AMC-1 to SES-15 will be unusually complicated. AMC-1 is a traditional wide-beam satellite, while SES-15 is a high throughput satellite with multiple spot beams. Dual illumination of AMC-1 and SES-15 while the two spacecraft are co-located is not technically feasible, as there would be interference between the wide area beam and the spot beams. In addition, the Ku-band payload of AMC-1 has a 26 degree polarization offset. Beyond interference issues, the customers' network configuration is very different on the spot beam satellite, and customers need more time to properly configure and test their networks on SES-15

² See SES Americom, Inc., Call Sign S2445, File Nos. SAT-MOD-20140730-00089 & SAT-AMD-20150219-00006, granted May 28, 2015 (authorizing operation of AMC-1 at 129.15° W.L. in the conventional Ku-band).

³ SES-15 Grant, Attachment to Grant at 4, ¶ 15.

⁴ SES Americom, Inc., Call Sign S2445, File No. SAT-MOD-20170810-00115 (the "AMC-1 Modification").

than would be required if it were a traditional wide beam satellite. Customers will need to continue serving their end users during this configuration and testing period.

In order to transition traffic with the least impact to customers, SES must provide overlapping services to customers from both orbital locations for an interim period. As a result, AMC-1 and SES-15 cannot be collocated with one another during the transition. SES therefore has sought authority to relocate AMC-1 to 130.9° W.L. before SES-15 is scheduled to arrive at 129.15° W.L.

MODIFICATION

SES requests any necessary modification of the SES-15 Grant to permit SES to retain its Ku-band U.S. market access notwithstanding the planned relocation of AMC-1 before SES-15 commences operations at 129.15° W.L. Grant of this modification is consistent with Commission policies in favor of continuity of service to customers.⁵

In particular, the standard language of Condition 15 of the SES-15 Grant is intended to prevent any lapse in service to customers when an existing satellite's capacity is being replaced. Here, however, a departure from typical replacement procedures is necessary in order to ensure service continuity. As discussed above, requiring AMC-1 to remain in position until SES-15 commences operations at 129.15° W.L. would impede the transfer of traffic from

⁵ See, e.g., DIRECTV Enterprises, LLC, Request for Special Temporary Authority to Conduct Telemetry, Tracking and Control During the Relocation of DIRECTV 1 to the 72.5° W.L. Orbital Location, Order and Authorization, DA 05-1890 (Sat. Div. rel. July 14, 2005) at ¶ 18 (granting STA to relocate spacecraft to a location where it will replace a satellite with failing solar panels "will enable DIRECTV to maintain continuity of DBS service to its customers"); DIRECTV Enterprises, LLC, Application for Authorization to Operate DIRECTV 5, a Direct Broadcast Satellite, at the 109.8° W.L. Orbital Location, Order and Authorization, DA 05-2654 (Sat. Div. rel. Oct. 5, 2005) at ¶ 8 ("DIRECTV's proposal to provide DBS service from this location will serve the public interest, convenience and necessity in that it will ensure continuity of service to DIRECTV subscribers").

AMC-1 to SES-15 and would result in customers experiencing harmful interference. In contrast, the approach set forth in the AMC-1 Modification, in which AMC-1 will be moved in advance of the arrival of SES-15 and will provide service during the drift, will allow Ku-band customers at 129.15° W.L. sufficient time to make the adjustments needed to facilitate the transition of traffic without any interruption in service.

As a result, the proposed procedures for transitioning Ku-band traffic to SES-15 will not harm customers but rather are necessary to ensure customers receive continuous service. Moreover, the Ku-band spectrum will be in use throughout the process, so the spectrum will not lie fallow at any time during the transition. Under these circumstances, allowing SES to retain its Ku-band market access for SES-15 notwithstanding the plan to relocate AMC-1 in advance of SES-15's arrival will serve the public interest.⁶

For the foregoing reasons, SES respectfully requests that the Commission make any necessary changes to Condition 15 of the SES-15 Grant to make clear that the planned

⁶ The requested modification is also fully consistent with Commission rules and policies regarding replacement capacity. For example, Section 25.165(e) of the Commission's rules addresses situations in which a satellite qualifies as a replacement and is therefore exempt from the applicable surety bond requirement. That rule provides that a replacement satellite is one that is "scheduled to be launched so that it will be brought into use at approximately the same time as, but no later than, the existing space station is retired." 47 C.F.R. § 25.165(e)(3). In this case, the existing AMC-1 satellite will remain active and continue to provide service to customers until after SES-15 is brought into use.

relocation of AMC-1 in advance of SES-15's arrival will not nullify the Ku-band U.S. market

access authority for SES-15.

Respectfully submitted,

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By: /s/ Petra A. Vorwig

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