

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

|   |   |                        |
|---|---|------------------------|
| In the Matter of                              | ) |                        |
|   | ) |                        |
| NEW SKIES SATELLITES B.V.                     | ) | File No. SAT-MPL-_____ |
|   | ) | Call Sign S3048        |
| Petition to Modify U.S. Market Access for the | ) |                        |
| NSS-6 Fixed-Satellite Space Station           | ) |                        |

**PETITION TO MODIFY U.S. MARKET ACCESS AUTHORIZATION**

New Skies Satellites B.V. (“SES”) respectfully requests a modification of its authority to use the Netherlands-licensed NSS-6 Ku-band fixed-satellite space station to serve the U.S. market from 169.5° W.L.<sup>1</sup> to reflect a minor 0.3 degree change in orientation of one of the satellite’s beams.<sup>2</sup> This repointing would not affect any NSS-6 customers, nor would it adversely affect other operators. Grant of the requested modification will serve the public interest by allowing SES to optimize the satellite’s coverage, promoting efficient use of satellite and orbital resources.

A completed FCC Form 312 is attached, and SES incorporates by reference the information previously provided in support of the NSS-6 Grant. An updated Schedule S that reflects the proposed reorientation of the beam is also provided.<sup>3</sup> SES certifies that apart from the

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<sup>1</sup> See *New Skies Satellites B.V.*, File No. SAT-PDR-20190403-00022, granted September 12, 2019 (the “NSS-6 Grant”).

<sup>2</sup> Because only a 0.3 degree change in beam positioning is proposed, this modification is eligible for automatic grant pursuant to Section 25.117(h)(2) of the Commission’s rules. See 47 C.F.R. § 25.117(h)(2) (specifying that modifications of satellite authority that involve a change in the positioning of one or more antenna beams by no more than 0.3 degrees will be deemed granted 35 days after public notice if no objection is filed).

<sup>3</sup> Although the orientation for only one beam is changing, there are five GXT files representing this beam: two uplink files, one for each polarization, and three downlink files for each of the three non-contiguous spectrum segments in the downlink direction. The updated

matters addressed herein, no change is proposed to the information previously provided with respect to NSS-6.

Grant of the requested authority to reorient the NSS-6 beam is consistent with Commission precedent. As the International Bureau has explained:

the Commission attempts, when possible, to leave spacecraft design decisions to the space station licensee because the licensee is in a better position to determine how to tailor its system to meet the particular needs of its customers. Consequently the Commission will generally grant a licensee's request to modify its system, provided there are no compelling countervailing public interest considerations.<sup>4</sup>

Here, the proposed change will allow SES to adjust the coverage of NSS-6 to better respond to customer requirements.

For the foregoing reasons, SES seeks a modification of the NSS-6 Grant to permit repointing of one of the satellite's beams.

Respectfully submitted,

NEW SKIES SATELLITES B.V.

By: /s/ Petra A. Vorwig

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Dated: April 1, 2020

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GXT files are those designated T-CH.gxt, T-CH.gxt, T-CV.gxt, R-CH.gxt, R-CV.gxt. The GXT files for the remaining beams are included in the Schedule S but have not changed.

<sup>4</sup> *AMSC Subsidiary Corp.*, Order and Authorization, DA 98-493, 13 FCC Rcd 12316, 12318, ¶ 8 (IB 1998) (footnote omitted).