

WAIVER REQUESTS

Hispamar requests that the Commission grant some waivers of this requirement pursuant to Section 1.3 of the Commission's rules:

- Hispamar requests waiver of Section 2.106 Footnote NG52, which permit the use of the 12750-13250 / 10700-11700 MHz frequency bands by non-federal fixed satellite service for international systems only¹;

AMAZONAS-2 will utilize the 12750 – 13250 / 10700 – 10950 and 11200 – 11450 MHz frequency bands to provide service to U.S. territory and requests a waiver to allow use of these bands for domestic service use on a non-interference, non-protected basis.

Good cause for a waiver exists in this case. Grant of the requested waiver to permit domestic use of these frequencies would be consistent with some precedent². As in those cases, grant of the requested waiver will make available additional domestic capacity without risk of harmful interference because AMAZONAS-2 will operate on a non-interference, non-protected basis.

Hispamar also agrees to abide by the customer notification requirements that the International Bureau has previously imposed when granting waivers of NG52.³ Hispamar will inform its customers in writing, including any customers receiving end-user services from resellers accessing capacity on AMAZONAS-2, of the potential for interference from FS operations in these bands.

- Hispamar requests a partial waiver of Part 25.210(f). Due to satellite design constraints, this satellite did not have enough capacity to be equipped with frequency reuse for some frequencies in some Ku band beams of the United States.
- It is also required that each application must also contain the formal waiver required by section 304 of the Communications Act, 47 U.S.C. 304. Such formal waiver is hereby formally requested.

¹ 47 C.F.R. §2.106 footnote NG52

² For example, see Policy Branch Information; Actions Taken, Report No. SAT-00796, File No. SAT LOA-20101014-00219 (July 29, 2011) (granting waiver of Footnote 2 of Section 25.202(a)(1) and Footnote NG104 of Section 2.106 for Intelsat 18)

³ See, e.g., *id.*; *Hispasat for Waiver*, Stamp Grant, File No. S SAT-PPL-20160722-00064, Condition 6.b (June. 04, 2017);