

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matters of

GE AMERICAN COMMUNICATIONS, INC. File Nos. 65-DSS-ML-90
Application for
Orbital Reassignment
of Satcom 1R

GE AMERICAN COMMUNICATIONS, INC. 64-DSS-MISC-90
Application for
Temporary Assignment
of Satcom C-1

ALASCOM, INC. 1-DSS-MISC-91
Application for
Temporary Assignment
of Aurora 2

ORDER

Adopted: December 28, 1990; Released: January 4, 1991

By the Domestic Facilities Division:

I. BACKGROUND

1. GE American Communications, Inc. (GE Americom) and Alascom, Inc. (Alascom) have filed three related applications pertaining to their Satcom and Aurora domestic fixed-satellite systems. In the first, GE Americom requests authority to relocate its in-orbit Satcom 1R satellite from 139⁰ W.L. to 131⁰ W.L. In the second, GE Americom requests authority to operate its recently launched Satcom C-1 satellite at the vacated 139⁰ W.L. location on a temporary basis. In the third, Alascom requests authority to test its Aurora 2 satellite at 136⁰ W.L. for an eight-week period when the satellite is launched in mid-1991. Hughes Communications Galaxy, Inc. (HCG) filed comments with respect to GE Americom's applications. For the reasons discussed below, the three applications are granted.

2. All three requests stem from the impending retirement of GE Americom's Satcom 3R satellite, which is operating at 131⁰ W.L. Satcom 3R was launched in 1981 and is currently operating beyond its eight-year nominal design life. The satellite is used exclusively to distribute video programming primarily to cable television systems and, according to GE Americom, serves approximately 50 million homes. GE Americom states that the least disruptive means of maintaining programming for its customers is to move its in-orbit spare satellite, Satcom 1R, from 139⁰ W.L., where it is currently operating, to 131⁰ W.L. Satcom 1R would then operate at 131⁰ W.L. until Satcom 3R's authorized replacement, Satcom C-3, is launched in early 1993.¹

3. Moving Satcom 1R, however, would leave the 139⁰ W.L. location unoccupied. GE Americom notes that the Aurora 2 satellite -- which is assigned to 139⁰ W.L. and which will eventually serve the Satcom 1R customers -- will not be launched until mid-1991. GE Americom therefore proposes to locate its Satcom C-1 satellite, which was launched in November 1990 and is assigned to 137⁰ W.L., at 139⁰ W.L. on a temporary basis.² It states that it will move Satcom C-1 to its assigned location when Aurora 2 becomes operational. GE Americom submits that this plan is less disruptive than requiring customers to repoint their antennas twice -- once to Satcom C-1 at 137⁰ W.L. and then back to Aurora 2 at 139⁰ W.L. -- at a cost of approximately \$1.25 million.

4. Finally, Alascom requests authority to test Aurora 2 at 136⁰ W.L. before it is moved to 139⁰ W.L. Alascom states that if Satcom C-1 is operating at 139⁰ W.L. when Aurora 2 is launched, as proposed, testing Aurora 2 at its assigned location will prematurely and unnecessarily disrupt customers receiving service from 139⁰ W.L. Alascom states that 136⁰ W.L. is the most feasible location for testing Aurora 2 since it will be separated by three degrees from Satcom C-1, which will be operating on the same polarization, and two degrees from Hughes's Galaxy 1 satellite, which is cross-polarized with Aurora 2. Alascom states that Aurora 2 should be fully tested and on station at 139⁰ W.L. no later than July 1991.

5. No oppositions to the proposed orbital rearrangements were filed. HCG, however, filed comments in which it alleges that the operation of Satcom C-1 from its assigned 137⁰ W.L. location presents a serious potential for disrupting millions of cable television viewers on HCG's Galaxy 1 satellite. Galaxy 1 is currently operating at 134⁰ W.L. although it is assigned to the 133⁰ W.L. location. HCG suggests that we require GE Americom to monitor the earth station antennas transmitting to Satcom C-1 and require power reductions in their uplink transmissions, as necessary, during the transition period to HCG's next generation satellite in 1994.

II. DISCUSSION

6. Granting the GE Americom and Alascom requests will serve the public interest, convenience and necessity. No new orbital locations are involved. The proposed orbital plan and temporary assignments will allow GE Americom and Alascom to provide continued service and will eliminate the need for customers to repoint their antennas. Moreover, no party has objected to any of the relocations requested in the applications at issue. We therefore grant the requests.

7. With respect to HCG's comments, the allegations of potential interference from Satcom C-1's operations at 137⁰ W.L. are not properly raised in this proceeding. Satcom C-1 was assigned to 137⁰ W.L. in January 1990, after its application was placed on public notice and after opportunity for public comment.³ HCG did not object to Satcom C-1's operations at that time. Its comments here may be considered as an untimely petition for reconsideration of that decision and dismissed on those grounds.⁴

8. In any event, HCG has not presented any potential interference concerns that warrant placing any extraordinary conditions regarding the monitoring of uplinking earth stations or other coordination requirements on Satcom C-1's license. HCG's concerns stem not from the operations of Satcom C-1 *per se*, but from problems

caused by earth station uplink transmissions into the satellite. As HCG acknowledges, "[w]ith proper power limits on the operation of small and transportable earth stations, HCG does not expect that Satcom C-1 will cause unacceptable interference into Galaxy 1."⁵ HCG, however, does not provide any documentation to support its claims that earth station licensees are regularly exceeding their authorized powers or that licensed earth stations operating at higher powers are causing harmful interference.⁶ As with all licensees of new satellites, it is incumbent on GE Americom to coordinate its operations with the operations of adjacent in-orbit satellites before it brings its satellite into service at 137⁰ W.L. Satcom C-1's power levels fall within those levels that are routinely authorized. Other satellites are operating with comparable specifications and these satellites have been and are continuing to be coordinated among affected licensees without a special license requirement. There is no reason to believe that Satcom C-1 will not similarly be successfully coordinated with adjacent satellites without the need for Commission involvement.

III. CONCLUSION

9. Accordingly, IT IS ORDERED that Application File Nos. 64-DSS-MISC-90, 65-DSS-ML-90, and 1-DSS-MISC-91 ARE GRANTED.

10. IT IS FURTHER ORDERED that the Orbital Assignment Plan set forth in the Appendix to *Assignment of Space Stations in the Domestic Fixed-Satellite Service*, 3 FCC Rcd 6972 (1988), modified, 5 FCC Rcd 179 (1990), further modified in *American Satellite Company*, 5 FCC Rcd 1186 (1990), in *GTE Spacenet Corporation*, 5 FCC Rcd 1182 (1990), and in *Hughes Communications Galaxy, Inc.*, 5 FCC Rcd 3423 (1990) IS FURTHER MODIFIED to assign Satcom 1R to 131⁰ W.L.

11. IT IS FURTHER ORDERED that GE Americom Communications, Inc. IS AUTHORIZED to operate Satcom C-1 at the 139⁰ W.L. orbital location on the condition that the satellite be moved to its regularly assigned location of 137⁰ W.L. not later than the date on which 139⁰ W.L. is ready to be occupied by Alascom, Inc.'s Aurora 2 satellite.

12. IT IS FURTHER ORDERED that Alascom, Inc. IS AUTHORIZED to test Aurora 2 at the 136⁰ W.L. orbital location for an eight week period after it is launched. At the expiration of this period, it must begin to move the satellite to its regularly assigned location of 139⁰ W.L.

13. GE American Communications, Inc. and Alascom, Inc. are afforded thirty days from the date of release of this order to decline the authorizations as conditioned. Failure to respond within this time period will constitute formal acceptance of the authorizations as conditioned.

FEDERAL COMMUNICATIONS COMMISSION

James R. Keegan
Chief, Domestic Facilities Division
Common Carrier Bureau

FOOTNOTES

¹ GE Americom states that it plans to maintain Satcom 3R as a non-operational in-orbit spare.

² GE Americom states that it will operate Satcom C-1, which is equipped with polarization switching capability, in the vertical polarization sense while it is operating at 139⁰ W.L. to conform to the C-band polarization plan at that location.

³ Assignment of Orbital Locations to Space Stations in the Domestic Fixed-Satellite Service, 5 FCC Rcd 179 (1990) (Reconsideration Order).

⁴ HCG states that its objections are timely because it recently learned that Satcom C-1's performance specifications are different from what HCG had understood them to be. This does not alter the procedural deficiencies of HCG's pleading. If HCG believes that GE Americom is implementing the Satcom C-1 satellite with technical specifications different from those authorized, this proceeding -- which involves only Satcom C-1's temporary assignment to 139⁰ W.L. -- is not the appropriate place in which to raise these issues.

⁵ HCG Response at 3.

⁶ If HCG believes this to be the case in general, it is more appropriately addressed in the context of a Rule Making proceeding. The Commission will take any necessary action in the context of that proceeding.