

FEDERAL COMMUNICATIONS COMMISSION  
**FCC REMITTANCE ADVICE**

Approved by OMB  
 3060-0589  
 Expires 2/28/97

PAGE NO. 1 OF 1

(RESERVED)

SPECIAL USE

FCC USE ONLY

(Read instructions carefully BEFORE proceeding.)

**PAYOR INFORMATION**

(1) FCC ACCOUNT NUMBER 0   9   5   3   4   5   6   4   9   7	Did you have a number prior to this? Enter it.	(2) TOTAL AMOUNT PAID (dollars and cents) \$ 575 . 00
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(3) PAYOR NAME (If paying by credit card, enter name exactly as it appears on your card)  
 HUGHES COMMUNICATIONS GALAXY, INC.

(4) STREET ADDRESS LINE NO. 1  
 1990 Grand Avenue

(5) STREET ADDRESS LINE NO. 2

(6) CITY El Segundo	(7) STATE CA	(8) ZIP CODE 90245
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(9) DAYTIME TELEPHONE NUMBER (Include area code) (310) 607-4000	(10) COUNTRY CODE (if not U.S.A.)
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**ITEM #1 INFORMATION**

(11A) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR Hughes Communications Galaxy, Inc.	FCC USE ONLY
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(12A) FCC CALL SIGN/OTHER ID Galaxy IX	(13A) ZIP CODE	(14A) PAYMENT TYPE CODE C   R   Y	(15A) QUANTITY 1	(16A) FEE DUE FOR PAYMENT TYPE CODE IN BLOCK 14 \$ 575.00
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(17A) FCC CODE 1	(18A) FCC CODE 2
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(19A) ADDRESS LINE NO. 1	(20A) ADDRESS LINE NO. 2	(21A) CITY/STATE OR COUNTRY CODE
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**ITEM #2 INFORMATION**

(11B) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR	FCC USE ONLY
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(12B) FCC CALL SIGN/OTHER ID	(13B) ZIP CODE	(14B) PAYMENT TYPE CODE	(15B) QUANTITY	(16B) FEE DUE FOR PAYMENT TYPE CODE IN BLOCK 14 \$
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(17B) FCC CODE 1	(18B) FCC CODE 2
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(19B) ADDRESS LINE NO. 1	(20B) ADDRESS LINE NO. 2	(21B) CITY/STATE OR COUNTRY CODE
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**CREDIT CARD PAYMENT INFORMATION**

(22) MASTERCARD/VISA ACCOUNT NUMBER:  
 Mastercard  Visa

EXPIRATION DATE:   /

Month      Year

(23) I hereby authorize the FCC to charge my VISA or Mastercard for the service(s)/authorization(s) herein describe.

AUTHORIZED SIGNATURE	DATE
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**HUGHES**  
COMMUNICATIONSSubsidiary of  
Hughes Aircraft Company

October 25, 1994

6-DSS-MISC-95

Federal Communications Commission  
Common Carrier Domestic Satellites  
Post Office Box 358160  
Pittsburgh, PA 15251-5160

Re: Request for Section 319(d) Waiver To Begin  
Construction of the Hughes Communications Galaxy,  
Inc. Galaxy IX C Band Domestic Communications  
Satellite

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Ladies and Gentlemen:

Hughes Communications Galaxy, Inc. ("HCG") hereby requests a waiver, pursuant to Section 319(d) of the Communications Act of 1934, as amended, 47 U.S.C. § 319(d), to begin construction as soon as possible on a new C band domestic communications satellite to be known as "Galaxy IX," and to expend up to \$30 million on the construction of that satellite. HCG is filing its application to construct, launch, and operate Galaxy IX concurrently with the filing of this letter.

As set forth more fully in that application, HCG proposes to operate Galaxy IX at 123° W.L. At that location, Galaxy IX will provide much-needed C band service to satellite users in the contiguous United States, Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands. HCG proposes to collocate Galaxy IX with its existing Ku band satellite, SBS-5, affording HCG certain operating efficiencies and providing it the flexibility to replace the two satellites with a single hybrid in the future.

The public interest, convenience, and necessity would be served by grant of a Section 319(d) waiver because a waiver will allow HCG to commence providing much-needed C band capacity at the earliest possible date. The increasing demand for C band satellite services, combined with the 96 C band transponders that have been removed from service by the industry over the past year, have heightened the demand for C band capacity. All 24 transponders on each of HCG's Galaxy I-R(S), III, IV(H), V-W, VI, and VII(H) are fully committed, and the C band capacity on HCG's as yet unlaunched Galaxy III(H) is almost fully committed. In addition, over the next year, the industry will remove almost 100

C band transponders from service as satellites are retired and are not replaced. Indeed, recent press reports confirm that there is a severe shortage of C band capacity to serve the United States and that the demand can be met only by the launch of new satellites.<sup>1</sup>

In order to respond to this pressing demand, HCG has selected the HS-376 satellite design for Galaxy IX. This design facilitates prompt construction and allows the use of readily available launch vehicles. HCG anticipates that this satellite could be in operation in less than two years from the date that the Commission authorizes construction.

In order to meet this schedule, HCG needs to begin construction immediately. A waiver will avoid delay in the timely availability of needed C band capacity should the Commission grant HCG's application. Such delay would hinder HCG's business plans and restrict its ability to provide service to the public in as little as two years. Grant of the requested waiver also is consistent with past Commission practice with respect to Section 319(d) waivers.<sup>2</sup>

Significantly, grant of this request will not prejudice the rights of any other party.

HCG acknowledges that grant of a Section 319(d) waiver will be without prejudice to any action that may be taken by the Commission on the pending application, and that all expenditures will be at HCG's own risk.

HCG certifies that neither HCG, nor its parent company, Hughes Communications, Inc. ("HCI"), nor any of the officers or directors of HCG or HCI, is subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti Drug Abuse Act of 1988, 21 U.S.C. § 853a.

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<sup>1</sup> See, e.g., Satellite News, Oct. 17, 1994, at 1.

<sup>2</sup> See, e.g., Hughes Communications Galaxy, Inc., File No. 24-DSS-MISC-90 (June 25, 1990) (granting Section 319(d) waiver to expend \$30 million); Hughes Communications Galaxy, Inc., File No. 5-DSS-MP/ML-90 (Jan. 9, 1990) (same); American Satellite Company, File Nos. 521-DSS-P/LA-82, 522-DSS-P/LA-82, 523-DSS-P-82 (Apr. 12, 1983) ((granting waiver to expend \$28.4 million); American Satellite Company, File Nos. 521-DCC-P/LA-82, 522-DSS-P/LA-82, 523-DSS-P-82 (June 10, 1982) (granting waiver to expend \$15.3 million).

Federal Communications Commission  
October 25, 1994  
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Accordingly, HCG respectfully requests that the Commission grant it a Section 319(d) waiver to permit it to expend up to \$30 million to construct the proposed Galaxy IX.

Respectfully submitted,

HUGHES COMMUNICATIONS GALAXY, INC.

By: Carl A. Brown  
Carl A. Brown  
Senior Vice President