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May 19, 2004

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, N.W.
Washington, D.C. 20554

Re: Inmarsat Ventures Limited, File No. SAT-MS-C-20040210-00027

Dear Ms. Dortch:

Intelsat hereby responds to the letter filed on May 13, 2004 by SES AMERCOM, Inc. ("SES") in the above referenced proceeding in order to correct a mischaracterization made by SES and to clarify the record. As an initial matter, Intelsat previously has not participated in this proceeding and takes no position on the issues raised in it. Intelsat strenuously objects to SES's gratuitous attempt, in its May 13 letter, to attribute a position on the issues to Intelsat based on a mischaracterization of comments made by Intelsat's Chief Executive Officer.

In its May 13 letter, SES quotes two statements made by Intelsat Chief Executive Officer Conny Kullman. SES then asserts that those two statements "support the position taken by SES AMERICOM and others in the instant proceeding: that Inmarsat's transactions do not suffice to satisfy the clear and unambiguous directive of Congress that Inmarsat conduct an IPO of equity securities."¹ In fact, as explained below, Mr. Kullman's statements provide *no such support*.

In his first statement, Mr. Kullman is quoted as saying that "the ORBIT legislation is very clear in requiring an IPO. It uses that term very clearly."² The statement is accurate: the ORBIT Act does very clearly use the term "initial public offering."³ Mr. Kullman's statement does not, however, express a view as to whether the term "initial public offering" requires an offering of equity securities.

¹ Letter from Phillip L. Spector, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Attorneys for SES Americom, Inc. to Marlene H. Dortch, Secretary FCC, at 2 (dated May 13, 2004) ("SES Letter").

² *Id.*

³ See Open-Market Reorganization for the Betterment of International Telecommunications Act, Pub. L. No. 106-180, 114 Stat. 48, Section 621(2) (Mar. 17, 2000).

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In his second statement, Mr. Kullman is quoted as saying that for Intelsat to satisfy the ORBIT Act IPO requirement via a buyout similar to Inmarsat's, it would "need a ruling from the FCC [on the Inmarsat request] which is different from the interpretation we have now."⁴ This statement merely refers to the fact that the only interpretation of the ORBIT Act term "initial public offering" taken to date by the FCC involved the offering of equity securities by New Skies Satellites, N.V. Again, Mr. Kullman's statement did not express a view as to whether the term "initial public offering" requires an offering of equity securities.

Again, Intelsat is extremely troubled by SES's attempt to manufacture support for its position where none exists. This tactic is reminiscent of SES's earlier attempt to paint a picture for the Commission that was less than accurate.⁵ To be sure, SES is entitled to argue its position to the Commission. It should not, however, attempt to put inaccurate words in the mouths of other parties.

Respectfully submitted,



Jennifer D. Hindin

cc: Attached Certificate of Service

⁴ SES Letter at 2.

⁵ The FCC previously reprimanded SES for misstating its aggregate foreign ownership to the Commission. *Applications of General Electric Capital Corp., Transferors, SES Global, S.A. Transferees, For Consent to Transfer of Control of Licenses and Authorizations Pursuant to Sections 214(a) and 310(d) of the Communications Act and Petition for Declaratory Ruling Pursuant to Section 3109b)(4) of the Communications Act*, 16 FCC Rcd 18878 (2001) ("Indeed, we are concerned that the Applicants may have violated one or more of the Commission's rules, including Section 1.17. Accordingly, we are referring this matter to the Enforcement Bureau.").

CERTIFICATE OF SERVICE

I, Claudia L. Cartagena, hereby certify that on May 19, 2004, I caused a copy of the foregoing Response to SES Letter to be mailed via first-class postage prepaid mail to the following:

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