

Attachment
SAT-MPL-20090331-00040;
SAT-PDR-20011016-00137
Call Signs S2756, S2463
July 1, 2009

The application of New Skies Satellites, B.V. (New Skies) to modify the Commission's Permitted Space Station List (Permitted List) authorization for the C-band NSS-9 space station at the 177° W.L. orbital location to reflect an altered frequency channel plan for certain transponders on the space station IS GRANTED. Specifically, although the NSS-9 space station will continue to provide Fixed-Satellite Services in the 5925-6425 MHz (Earth-to-space) and 3700-4200 MHz (space-to-Earth) frequency bands, certain channels of the communications payload have center frequencies that are three megahertz lower than those submitted as part of New Skies' petition for inclusion of the NSS-9 space station on the Permitted List. Accordingly, New Skies' Permitted List authorization for the NSS-9 space station is modified to include these altered frequency channel plans, as set forth in its modification application.

1. The modified authorization for NSS-9 is subject to the previously established conditions that were placed on the NSS-9 space station when it was added to the Permitted List, *see* IBFS File No. SAT-PPL-20080811-00152, as amended by SAT-APL-20081212-00230 (granted February 10, 2009).

2. We also update the Permitted List to reflect New Skies's retirement of NSS-5 from 177° W.L. *See* Letter from Joslyn Read, Vice President – Regulatory Affairs for New Skies Satellites B.V., to Marlene H. Dortch, FCC, IBFS File No. SAT-PDR-20011016-00137, dated April 16, 2009. New Skies states that, while NSS-5 may not be taken out of service permanently, it is being relocated out of the 177° W.L. orbital location from which it was authorized to provide service to the U.S. market. Consequently, NSS-5 is removed from the Permitted List. Any operator seeking to use NSS-5 to provide service to the U.S. market from another orbital location at a later time may file an application or petition for declaratory ruling requesting such market access.

3. This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.



*subject to conditions

File # SAT-MPL-20090331-00040
Call Sign S2756 **Grant Date** 07/01/09
(or other identifier)
Term Dates
From _____ **To:** _____
Approved: Stephen J. Duall
Stephen J. Duall
Chief, Policy Branch

April 16, 2009

BY ELECTRONIC FILING

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *File No. SAT-PDR-20011016-00137; Call Sign S2463*

Dear Ms. Dortch:

New Skies Satellites B.V. (“New Skies”) writes to inform you that on April 14, 2009, it initiated redeployment of the Netherlands-licensed NSS-5 satellite from 177° W.L. to another orbital location under Dutch authority. While New Skies will not be seeking U.S. market access for NSS-5 at its next orbital location, it does anticipate relocating NSS-5 at a later date to a portion of the geostationary arc from which service to the U.S. will be possible.

Therefore, New Skies respectfully requests that the Commission not terminate NSS-5’s Permitted Space Station List status at this time, but rather suspend it pending return of the spacecraft to a location capable of providing U.S. service. Such a course of action will conserve Commission resources by avoiding the need for the Commission to review a largely repetitive New Skies filing seeking NSS-5 market access when the Commission has already determined that NSS-5 is eligible for Permitted List status. Instead, New Skies would propose filing in advance of NSS-5’s arrival at a later U.S.-visible orbital position only the information relating to NSS-5 that will change as a result of deployment of the spacecraft to a new orbital location, such as the service contours and interference analysis.

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NEW SKIES SATELLITES N.V.
NSS-803 now NSS-5

Marlene H. Dortch
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If you have any questions, please direct them to me.

Sincerely yours,

/s/

Joslyn Read
Vice President – Regulatory Affairs
for New Skies Satellites B.V.

cc: Robert Nelson
Stephen Duall