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December 8, 2016

Federal Communications Commission
International Bureau Satellite Division
445 12th Street SW
Washington, District of Columbia 20554

Re: Erratum in connection with Petition for Declaratory Ruling to be Added to the Permitted List, File Number: SAT-PPL-20161130-00124 (the “Application”)

Dear Sir or Madam:

We are writing to you to correct a typographical error in the Application with respect to the specified frequency bands in certain parts of the Application. Specifically, in the second paragraph of Section III (*Rule Waivers are Warranted for ABS-3A*) of the Petition of Declaratory Ruling forming part of the Application the reference to the frequency bands being utilized by ABS-3A should be corrected to 14000 – 14250 MHz and 10950 – 11200 MHz (instead of 14000 – 14250 MHz and 11950 – 11200 MHz). This correction should also be applied in the second to last paragraph of Section 2.2 (*Communication Subsystem*) of the Engineering Statement forming part of the Application. All other references in the Application, including Schedule S submitted as part of the Application, are correct and complete.

December 8, 2016

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Please find enclosed with this letter two (2) corrected pages to be replaced in the Application to carry out the aforementioned corrections of the typographical errors. If you have any questions, please feel free to contact me at 202-835-7540 or pspector@milbank.com.

Sincerely yours,

/s/ Phillip L. Spector

Phillip L. Spector

Enclosures:

- Revised page 4 of the Petition for Declaratory Ruling.
- Revised page 3 of the Engineering Statement.

III. RULE WAIVERS ARE WARRANTED FOR ABS-3A

ABS seeks a limited waiver of the Commission's rules in connection with this petition for ABS-3A U.S. market access authority. Grant of these waivers is consistent with Commission policy:

The Commission may waive a rule for good cause shown. Waiver is appropriate if special circumstances warrant a deviation from the general rule and such deviation would better serve the public interest than would strict adherence to the general rule. Generally, the Commission may grant a waiver of its rules in a particular case if the relief requested would not undermine the policy objective of the rule in question and would otherwise serve the public interest.⁹

ABS-3A substantially complies with the Commission's rules. However, one waiver is necessary in light of the frequencies used. Specifically, ABS seeks a waiver of Section 25.210(f) of the Commission's Rules to the extent it requires full state-of-the-art frequency reuse in the 14000 – 14250 MHz and 10950 – 11200 MHz frequency bands.¹⁰ Section 25.210(f) seeks to maximize use of the scarce orbit/spectrum resource and ensure the operation of efficient designs to enhance the public's ability to obtain a sufficient supply of transponder capacity.¹¹ While ABS-3A provides service to the Americas in only one polarization in the 14000 – 14250 MHz and 10950 – 11200 MHz frequency bands, ABS-3A provides services to regions outside of the U.S. U.S. market access will increase the public's ability to access additional transponder capacity and the scarce orbit/spectrum resource where it currently is used to the exclusion of the

⁹ *PanAmSat Licensee Corp.*, 17 FCC Rcd 10483, 10492 (Sat. Div. 2002) (footnotes omitted).

¹⁰ Please also see Engineering Statement at ¶ 2.2 for further detail.

¹¹ *PanAmSat Licensee Corp.*, DA 04-277 (2004) at ¶ 8.

ABS-3A employs redundancy for a number of critical units in the receiving section as well as for the LTWTAs.

Section 25.202(d) of the rules requires that the carrier frequency of signals transmitted to (the ABS-3A) satellite be maintained within 0.001% of the reference frequency. ABS will comply with the provisions of this rule as it pertains to the transmission of command and tracking channels.

Section 25.202(e) of the rules requires that the carrier frequency of each space station transmitter be maintained within 0.002% of the reference frequency. ABS-3A is designed to be compliant with the provisions of this rule.

The coverage and performance of each ABS-3A C and Ku-band communication beam is provided in Exhibits 5A-1 through 5A-10 in the format described in Section 25.114(c)(4)(vi)(A) of the rules. For the uplink beams, the SFD at any G/T contour may be determined using the following formula:

$$\text{SFD}_D = \text{SFD}_P + [(G/T)_P - (G/T)_D] + A$$

where

SFD_D : SFD at desired G/T level (dBW/m²)

SFD_P : Minimum SFD at peak G/T (dBW/m²)

$(G/T)_D$: Desired G/T level (dB/K)

$(G/T)_P$: Peak G/T (dB/K)

A: Transponder attenuator setting (dB), ranging from 0 to 20 dB at C-band, and from 0 to 22 dB at Ku-band

Exhibit 6 provides a detailed calculation of the EIRP, G/T and SFD of the ABS-3A uplink and downlink beams.

ABS-3A employs full frequency reuse at C-band frequencies through the use of orthogonal polarizations within the same beam and/or the use of spatially independent beams. Accordingly, ABS-3A is compliant with Section 25.210(f) of the Commission's rules in the 5925 – 6425 MHz and 3700 – 4200 MHz frequency bands.

In the 14000 – 14250 MHz and 10950 – 11200 MHz frequency bands, ABS-3A provides service to the Americas in only one polarization. Consequently, ABS requests a waiver of the provisions of Section 25.210(f) with respect to