

File # SAT-PDR-20190305-00014

Call Sign S3043 Grant Date May 8, 2020

Approved by OMB
3060-0678

Term Dates
From May 8, 2020 To: See Conditions

Approved: [Signature]
John W. Whiting
Acting Chief
Satellite Policy Branch



Date & Time Filed: Mar 5 2019 3:31:35:856PM
File Number: SAT-PDR-20190305-00014
Callsign/Satellite ID: S3043


APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS
FCC 312 MAIN FORM
FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Market Access for SES-17 Ka-band Satellite at 67.1 W.L.

1-8. Legal Name of Applicant		Phone Number:	202-478-7143
Name:	SES-17 S.a r.l.	Fax Number:	
DBA Name:		E-Mail:	petra.vorwig@ses.com
Street:	Chateau de Betzdorf	State:	
City:	Betzdorf	Country:	Luxembourg
Country:	Luxembourg	Attention:	Petra Vorwig
Zipcode:			

ATTACHMENT TO GRANT
SES-17 S.a.r.l.
IBFS File No. SAT-PDR-20190305-00014

IBFS File No(s):	SAT-PDR-20190305-00014	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	SES-17 S.a.r.l. (SES)	
Call Sign:	S3043	
Satellite Name:	SES-17	
Orbital Location: (required station-keeping tolerance)	67.1° W.L. (± 0.05 degrees)	
Administration:	Luxembourg ¹	
Nature of Service:	Fixed-Satellite Service (FSS)	
Scope of Grant:	Grant of U.S. market access in the frequencies specified below.	
Service Area(s):	North and South America, Caribbean, Atlantic Ocean	
Frequencies:	17.3-19.4 GHz, 19.6-20.2 GHz (space-to-Earth) 27.5-29.1 GHz, 29.25-30.0 GHz (Earth-to-space) ² Telemetry, Tracking & Command (TT&C): Telemetry: 11704.5 MHz and 12195.5 MHz Command: 14003.0 MHz, 14005.0 MHz, and 14497.0 MHz Beacon: 19699.1 MHz	

Unless otherwise specified herein, operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission's rules not waived herein. This grant is also subject to the following conditions:

1. Communications between U.S.-licensed earth stations and the SES-17 space station must comply with all existing and future space station coordination agreements reached between Luxembourg, The Netherlands and other administrations. In the absence of a coordination agreement, such communications must comply with applicable provisions of the International Telecommunications Union (ITU) Radio Regulations as the Commission cannot guarantee the success of the required conditions.
2. SES must maintain the SES-17 space station within an east-west longitudinal station-keeping tolerance of ±0.05° of its assigned 67.1° W.L. orbital location.
3. Prior to commencing operations with U.S.-licensed earth stations via the SES-17 space station, SES must file with the Commission the information required by section 25.172 of the Commission's rules, 47 CFR § 25.172.
4. This grant does not include provision of any Direct-to-Home service, Direct Broadcast Satellite service, or Digital Audio Service to, from, or within the United States.³
5. We GRANT IN PART and DENY IN PART the request of SES to waive the U.S. Table of Frequency Allocations (U.S. Table), including footnote US271, 47 CFR § 2.106, to permit FSS downlink operations on a protected basis in the 17.3-17.7 GHz (space-to-Earth) frequency band. Commission rules and the U.S. Table state that FSS is limited to feeder link in the Broadcasting-Satellite Service (BSS) in the 17.3-17.8 GHz frequency band in the Earth-to-space direction. SES requests a waiver of Commission rules to

¹ SES-17 will operate under the following ITU filings submitted by Luxembourg and The Netherlands: LUX-G8-47; LUX-G9-49; LUX-G11-49 (and LUX-G11-49-1); and NSS-83A. Petition at 3.

² SES states that SES-17 is capable of operating in the 27.0-27.5 GHz band but also states that U.S. market access is not requested in this frequency range. Petition at 1 n.1.

³ With respect to DBS and DTH, this condition excludes from the scope of this market access grant those services specified in section 25.701(a)(1)-(5) of the Commission's rules. 47 CFR § 25.701(a)(1)-(5).

ATTACHMENT TO GRANT
SES-17 S.a.r.l.
IBFS File No. SAT-PDR-20190305-00014

allow SES-17 to access the U.S. market on a protected basis to provide FSS in the 17.3-17.7 GHz frequency band in the space-to-Earth direction.⁴ SES separately filed a petition for rulemaking to change the U.S. Table to allocate FSS (Earth-to-space) in the 17.3-17.7 GHz frequency band on a primary basis, and this petition is pending before the Commission.⁵ We agree with commenters, however, that it is premature to grant SES's request for a waiver of the Commission's rules to permit market access in the 17.3-17.7 GHz for FSS downlinks on a protected basis prior to conclusion of a rulemaking proceeding.⁶ The Commission has granted waivers of the U.S. Table when there is little potential for interference into any service authorized under the U.S. Table and when the non-conforming operator accepts any interference from authorized services.⁷ In this instance, SES explicitly requests a waiver of the U.S. Table and seeks to be protected from interference from authorized services.⁸ Accordingly, we decline to grant SES-17 access to the U.S. market in the 17.3-17.7 GHz to provide FSS on a protected basis. In the alternative, SES states that it would accept a waiver of the U.S. Table to provide FSS in the 17.3-17.7 GHz band on an unprotected, non-harmful interference basis, pending action on the associated petition for rulemaking.⁹ We agree that waiver of the U.S. Table is appropriate under these circumstances. SES has provided sufficient engineering information in its petition to find that it is capable of providing FSS in the 17.3-17.7 GHz frequency band without causing harmful interference to authorized users of the band. Rather than delay the introduction of any new services pending completion of the rulemaking, we grant a waiver of our rules to permit SES-17 to access the U.S. market in the 17.3-17.7 GHz frequency band for FSS downlinks to SES-17 gateway earth stations, on the condition that such access must not cause harmful interference to existing and future BSS facilities and deployments and must accept interference from existing and future users operating in compliance with the Commission's current rules.

6. We GRANT the request of SES to waive the U.S. Table, 47 CFR § 2.106, to allow FSS downlink operations on an unprotected, non-harmful interference basis with respect to FS networks in 17.7-17.8 GHz. SES-17 will comply with pfd limits to protect terrestrial FS networks throughout the 17.7-19.7 GHz frequencies. SES-17 will also accept any interference from existing and future FS transmissions in the 17.7-17.8 GHz frequencies. Based on these conditions and representations, we find that there is little potential for interference into any service authorized under the U.S. Table and SES has accepted any interference from authorized services.
7. Operations under this grant of market access are subject to the following power flux density (pfd) limits:
 - a. Transmissions in the 17.3-17.7 GHz (space-to-Earth) frequency band must comport with the pfd limits set forth in section 25.208(w) of the Commission's rules, 47 CFR § 25.208(w).
 - b. Transmissions in the 17.7-19.7 GHz (space-to-Earth) frequency bands must comport with the pfd limits set forth in section 25.208(c) of the Commission's rules, 47 CFR § 25.208(c).
 - c. The pfd at the Earth's surface produced by the emissions from the SES-17 space station for all

⁴ Petition at 7-8.

⁵ *Amendment of Parts 2 and 25 of the Commission's Rules to Enable Primary Fixed-Satellite Service (Space-to-Earth) Operations in the 17.3-17.7 GHz Band*, Public Notice, RM No. 11839 (IB Sat Div. May 1, 2019).

⁶ AT&T Services, Inc., Petition to Deny or Defer in Part (filed May 7, 2019) (arguing that the waiver request by SES to operate FSS downlinks in the 17.3-17.7 GHz band should be considered in the rulemaking proceeding initiated by SES); EchoStar Satellite Operating Company, Petition to Defer (filed May 6, 2019) (stating that the waiver request should be evaluated in the associated rulemaking proceeding).

⁷ See *Fugro-Chance, Inc.*, Order and Authorization, 10 FCC Rcd 2860 (IB 1995).

⁸ As a result of access to the U.S. market on a protected basis, SES asks that SES-17 not be required to modify its operations to accommodate future BSS facilities, and that SES-17 be protected from harmful interference caused by future BSS deployments. Petition at 7-8.

⁹ SES Response at 2 (filed May 21, 2019).

ATTACHMENT TO GRANT
SES-17 S.a.r.l.
IBFS File No. SAT-PDR-20190305-00014

atmospheric conditions, and for all methods of modulation in the 17.8-19.3 GHz and 19.7-20.2 GHz frequency bands (space-to-Earth), must not exceed a level of -118 dBW/m²/MHz at any angle of arrival.

d. Transmissions in the 18.6-18.8 GHz (space-to-Earth) frequency band must comport with the pfd limits set forth in section 25.208 (c) and (d) of the Commission's rules, 47 CFR § 25.208 (c) and (d).

e. Transmissions in the 17.8-18.6 GHz (space-to-Earth); 19.7-20.2 GHz (space-to-Earth); 27.5- 28.6 GHz (Earth-to-space); and 29.5-30.0 GHz (Earth-to-space) frequency bands may not claim any more protection from any current or future non-geostationary orbit (NGSO) FSS system authorized by the Commission to operate in these bands than that provided by the applicable equivalent power flux-density limits of Article 22 of the ITU Radio Regulations.

8. Space-to-Earth operations must complete coordination with U.S. Federal systems, in accordance with footnote US334 to the United States Table of Frequency Allocations (U.S. Table), 47 CFR § 2.106, prior to being used. The use of space-to-Earth operations must be in accordance with any signed coordination agreement with U.S. Federal operators. Two weeks prior to the start of any operations in the 17.8-19.4 GHz, and 19.6-20.2 GHz bands, contact information for a 24/7 point of contact for the resolution of any harmful interference must be provided to Jimmy Nguyen, Email: Jimmy.Nguyen@us.af.mil.
9. SES-17's operations in the 17.3-17.8 GHz frequency band (space-to-Earth) must comport with the requirements of section 25.264(a) and (b).
10. Operations pursuant to this grant of U.S. market access in the 17.8-18.3 GHz frequency band are on a secondary basis to the Fixed Service (FS). SES must accept any interference from existing and future FS transmissions in the 17.7-18.3 GHz frequency band.
11. Operations pursuant to this grant of U.S. market access in the 18.8-19.3 GHz and 28.6-29.1 GHz frequency bands must comport with Footnote NG165 to section 2.106 of the United States Table of Frequency Allocations, 47 CFR 2.106, which requires that GSO networks in the FSS not cause harmful interference to, or claim protection from, NGSO systems in the FSS.
12. We deny SES's request for a waiver of the U.S. Table to access the U.S. market in the 19.4-19.6 GHz (space-to-Earth) and 29.1-29.25 (Earth-to-space) frequency bands to communicate on a non-conforming basis with gateway earth stations and user terminals. Pursuant to the U.S. Table and the Ka-band plan, terrestrial FS networks and NGSO feeder links are available on a primary basis in the 19.4-19.6 GHz frequency band, and Mobile-Satellite Service (MSS) feeder links and Local Multipoint Distribution Service are available on a primary basis in the 29.1-29.25 GHz frequency band. Iridium states that SES has not proven that it can operate on an unprotected, non-interference basis in the 19.4-19.6 GHz and 29.1-29.25 GHz frequency bands, and that the Commission should not act on the waiver to operate in these frequency bands until SES files for earth station authority.¹⁰ We agree that the record does not provide sufficient specific information about the geographic locations and operating parameters of the earth stations involved to assess the potential for harmful interference from operation of SES's proposed gateway earth stations and user terminals, and that evaluation of this waiver request is best performed in the context of a future earth station application that includes SES-17 as a requested point of communication. Accordingly, we deny SES's request to use the 19.4-19.6 GHz (space-to-Earth) and 29.1-29.25 (Earth-to-space) frequency bands, without prejudice to seeking such authority as part of a specific earth station application.¹¹

¹⁰ Iridium Comments at 1-3.

¹¹ For example, the International Bureau previously granted market access in the 19.4-19.6 GHz (space-to-Earth) and 29.1-29.25 (Earth-to-space) frequency bands to communicate on a non-conforming basis with a specific gateway earth station as part of an earth station application. See *Inmarsat Mobile Networks, Inc., Application to Operate a Fixed-Satellite Service Gateway Earth Station Facility in Lino Lakes, Minnesota with the Inmarsat-5 F2 Space Station*, Order and Authorization and Declaratory Ruling, DA 15-382 at ¶ 18 (IB rel. Mar 30, 2015).

ATTACHMENT TO GRANT

SES-17 S.a.r.l.

IBFS File No. SAT-PDR-20190305-00014

13. Operations in the 27.5-28.35 GHz (Earth-to-space) are secondary with respect to Upper Microwave Flexible Use Service operations, except for FSS operations associated with earth stations authorized pursuant to 47 CFR § 25.136 and will comply with any determinations set forth in the *Spectrum Frontiers Proceeding* (GN Docket No. 14-177).
14. Operations in the 28.5-29.1 GHz frequency band must comport with Footnote NG62 to section 2.106 of the United States Table of Frequency Allocations, 47 CFR 2.106, which requires that stations in the FSS not cause harmful interference to, or claim protection from, Fixed-Service stations in the following call signs: KEB35, KGB72, KGC79, KIL20, KME49, KQG58, KQH74, KSA96, KSE73, KVH83, KYJ33, KZS88, WAX78, WLT380, WMK817, WML443, WMP367, and WSL69.
15. The 29.25-29.5 GHz band is designated for uplinks for FSS systems using GSO satellites and for feeder uplinks for MSS using NGSO satellites on a co-primary basis. Communications between U.S.-licensed earth stations and the SES-17 space station must comply with sections 25.258 and 25.278 of the Commission's rules, 47 CFR §§ 25.258 and 25.278.
16. We waive Section 25.202(g), 47 CFR §25.202(g) of the Commission's rules. Section 25.202(g) allows TT&C in frequencies within the assigned bands that are not at the edge of a band only if the transmissions cause no greater interference and require no greater protection from harmful interference than the communications traffic on the satellite network or have been coordinated with operators of authorized co-frequency space stations at orbital locations within six degrees of the assigned orbital location. SES contends that: (1) since SES-17 and SES-10 share the nominal 67° W.L. orbital location, SES has a strong incentive to make efficient use of the spectrum; (2) use of Ku-band TT&C frequencies greatly increases the number of earth stations capable of supporting SES-17 during its 7.5-month orbit-rising process; (3) TT&C operations will not cause more interference than the operation of a two-degree compliant satellite; and (4) SES-17 will conform to the off-axis EIRP limits applicable to Ku-band TT&C earth stations. We believe that granting this waiver is in the public interest and that the purposes behind Section 25.202(g) are not contravened by grant of this waiver.
17. Grant of this U.S. market access is subject to modification to bring it into conformance with any rules or policies adopted by the Commission in the future.
18. This grant of market access is subject to the following requirements:
 - a. SES must post a surety bond in satisfaction of 47 CFR §§ 25.165(a)(2) and (b) no later than **June 8, 2020**, and thereafter maintain on file a surety bond requiring payment in the event of a default in an amount, at minimum, determined according to the formula set forth in 47 CFR § 25.165(a)(2);
 - b. SES must launch the space station, place it in the assigned orbit, and operate it in accordance with the station authorization no later than **May 8, 2025**, 47 CFR § 25.164(a).
 - c. This grant of U.S. market access will be null and void automatically, without further Commission action if SES fails to comply with these requirements. Failure to comply with the milestone requirement of 47 CFR § 25.164(a) will also result in forfeiture of SES's surety bond. By **May 23, 2025**, SES must either demonstrate compliance with its milestone requirement or notify the Commission in writing that the requirement was not met. 47 CFR § 25.164(f).
19. This grant of market access will terminate in the event that the SES-17 space station is relocated from the 67.1° W.L. orbital location or ceases to operate. In either case, SES-17 will be removed from the Permitted List and will no longer have market access to the U.S. If SES wishes to provide service to the U.S. using another space station, it must file a new application for market access to the U.S. in order to have that space station placed on the Permitted List.

Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.

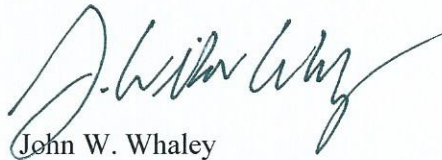
ATTACHMENT TO GRANT
SES-17 S.a.r.l.
IBFS File No. SAT-PDR-20190305-00014

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 upon release.

Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).

Action Date:	May 8, 2020	
Term Dates	From: May 8, 2020	To: See conditions

Approved:



John W. Whaley
Acting Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name: Karis Hastings Phone Number: 202-599-0975

Company: SatCom Law LLC Fax Number:

Street: 1317 F St., NW E-Mail: karis@safcomlaw.com

Suite 400

City: Washington State: DC

Country: USA Zipcode: 20004 -

Attention: Relationship: Legal Counsel

CLASSIFICATION OF FILING

17. Choose the buttonnext to the classification that applies to thisfiling for both questions a. and b. Choose only one for 17a and only one for 17b.

a.

a1. Earth Station

a2. Space Station

b.

b1. Application for License of New Station (N/A)

b2. Application for Registration of New Domestic Receive-Only Station (N/A)

b3. Amendment to a Pending Application (N/A)

b4. Modification of License or Registration (N/A)

b5. Assignment of License or Registration (N/A)

b6. Transfer of Control of License or Registration (N/A)

b7. Notification of Minor Modification (N/A)

b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite

b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States

b10. Replacement Satellite Application - no new frequency bands

b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)

b12. Petition for Declaratory Ruling to be Added to the Permitted List (N/A)

b13. Other (Please specify)

<p>17c. Is a fee submitted with this application? <input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee <input checked="" type="radio"/> Other (please explain): Permitted Space Station List and Market Access Application</p>	<p>17c. Fee Classification</p>
<p>18. If this filing is in reference to an existing station, enter: (a) Call sign of station: Not Applicable</p> <p>19. If this filing is an amendment to a pending application enter: (a) Date pending application was filed: Not Applicable (b) File number of pending application: Not Applicable</p>	

TYPE OF SERVICE

<p>20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:</p> <p> <input checked="" type="checkbox"/> a. Fixed Satellite <input type="checkbox"/> b. Mobile Satellite <input type="checkbox"/> c. Radiodetermination Satellite <input type="checkbox"/> d. Earth Exploration Satellite <input type="checkbox"/> e. Direct to Home Fixed Satellite <input type="checkbox"/> f. Digital Audio Radio Service <input type="checkbox"/> g. Other (please specify) </p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p> <input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier </p>	<p>22. If earth station applicant, check all that apply.</p> <p>Not Applicable</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p> <input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A </p>	
<p>24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).</p> <p> <input type="checkbox"/> a. C-Band (4/6 GHz) <input checked="" type="checkbox"/> b. Ku-Band (12/14 GHz) <input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.) </p> <p>Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)</p>	

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- (N/A) a. Fixed Earth Station
- (N/A) b. Temporary-Fixed Earth Station
- (N/A) c. 12/14 GHz VSAT Network
- (N/A) d. Mobile Earth Station
- e. Geostationary Space Station.
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY: Not Applicable

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? IF YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

Yes No

ALIEN OWNERSHIP

Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

<p>29. Is the applicant a foreign government or the representative of any foreign government?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>30. Is the applicant an alien or the representative of an alien?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>31. Is the applicant a corporation organized under the laws of any foreign government?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.</p>	

BASIC QUALIFICATIONS

Exhibit A

<p>35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
<p>36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>

<p>40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.</p>	
<p>41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.</p>	<p>Yes <input checked="" type="radio"/> No <input type="radio"/></p>
<p>42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.</p>	<p>Yes <input checked="" type="radio"/> No <input type="radio"/></p>
<p>42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station? Luxembourg</p>	

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Petitioner seeks U.S. market access for its Luxembourg-licensed SES-17 satellite to be located at 67.1 W.L.

Legal and Technical

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing
Petra A. Vorwig

46. Title of Person Signing
Senior Legal & Regulatory Counsel

47. Please supply any need attachments.

1:

2:

3:

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 0.25 – 24 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.