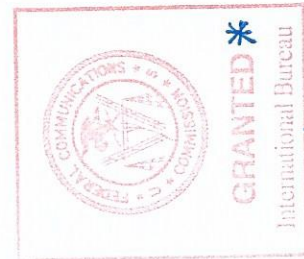


**** CORRECTED ON April 24, 2020 ****



File # SAT-PDR-20191017-00115

Call Sign S3055 Grant Date April 8, 2020
(or other identifier)

Term Dates
From April 8, 2020 To: see conditions

Approved by OMB
3060-0678

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

Date & Time Filed: Oct 17 2019 6:32:12:926PM
File Number: SAT-PDR-20191017-00115
Call sign/Satellite ID: S3055

APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Request for Market Access/Permitted List for EUTELSAT 139 West A

1-8. Legal Name of Applicant	
Name: Eutelsat S.A.	Phone Number: + 33 1 53 98 47 47
DBA Name:	Fax Number:
Street: 70, rue Balard	E-Mail: jlenotte@eutelsat.com
City: Paris	State: -
Country: France	Zipcode:
Attention: Jean-Hubert Lenotte	

ATTACHMENT TO GRANT
Eutelsat S.A.
IBFS File No. SAT-PDR-20191017-00115

IBFS File No(s):	SAT-PDR-20191017-00115	GRANTED – With Conditions  International Bureau Satellite Division	
Licensee/Grantee:	Eutelsat S.A. (Eutelsat)		
Call Sign:	S3055		
Satellite Name:	EUTELSAT 139 West A		
Orbital Location: (required station- keeping tolerance)	139.2° W.L. (± 0.10 degrees)		
Administration:	France		
Nature of Service:	Fixed-Satellite Service (FSS)		
Scope of Grant:	Conditional grant of U.S. market access, including addition to the Permitted Space Station List, via the EUTELSAT 139 West A space station at the 139.2° W.L. orbital location.		
Previous Grant(s):	N/A		
Service Area(s):	CONUS, CONUS + territories & possessions, Europe, Middle East, North Africa, South America, Caribbean, Bahamas		
Frequencies:	10.95-11.20 GHz (space-to-Earth) 11.45-11.7 GHz (space-to-Earth) 12.50-12.75 GHz (space-to-Earth) 13.75-14.5 GHz (Earth-to-space) Telemetry, Tracking & Command: Telemetry: 11.6998 GHz, 11.7004 GHz Command: 13.7525 GHz		
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. Eutelsat IS GRANTED conditional access to the U.S. market via its Ku-band space station, EUTELSAT 139 West A, at the 139° W.L. orbital location. 2. This grant does not include the provision of any Direct-to-Home (DTH) service, Direct Broadcast Satellite Service (DBS) or Digital Audio Service (DARS) to, from, or within the United States. 3. Communications between U.S.-licensed earth stations and the EUTELSAT 139 West A space station shall comply with all existing and future space station coordination agreements reached between France and other administrations. 4. Eutelsat's operations of the EUTELSAT 139 West A space station in the 10.95-11.20 GHz and 11.45-11.7 GHz (space-to-Earth) frequency bands are limited to international operations in accordance with footnote NG52 to the United States Table of Frequency Allocations. 47 CFR § 2.106, NG52. 5. In its operations of the EUTELSAT 139 West A space station in the 10.95-11.20 GHz and 11.45-11.7 GHz (space-to-Earth) frequency bands, Eutelsat is urged to take all practicable steps to protect radio astronomy observations in accordance with footnote US211, and consistent with footnote US74, to the United States Table of Frequency Allocations. 47 CFR § 2.106, US211. Avoidance of illumination of the sites listed in US131 will aid in this protection. 6. Radio astronomy as a service frequently makes use of observations (passive) in bands not allocated to the radio astronomy service. This practice is a result of scientifically valuable signals being subject to the Doppler Effect and shifted in frequency outside radio astronomy-allocated bands. Although not a condition to market access, Eutelsat should be aware of these facts and contact the National Science Foundation Spectrum Management Unit (esm@nsf.gov) to assist with coordination and information on			

ATTACHMENT TO GRANT
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radio astronomy sites.

7. Operations in the 10.95-11.2 GHz and 11.45-11.7 GHz frequency bands (space-to-Earth) are permitted under this grant of U.S. market access up to the applicable power flux-density limits contained in Section 25.208, 47 CFR § 25.208, and Article 21 of the ITU Radio Regulations.
8. Communications between U.S.-licensed earth stations and the EUTELSAT 139 West A space station in the 13.75-14.0 GHz frequency band (Earth-to-space) are subject to footnote US337 of the United States Table of Frequency Allocations, 47 CFR § 2.106, US337, which requires any earth station in the United States and its possessions communicating with the EUTELSAT 139 West A space station in the 13.75-14.0 GHz frequency band be coordinated through the National Telecommunications and Information Administration's (NTIA) Frequency Assignment Subcommittee to minimize harmful interference to the National Aeronautics and Space Administration (NASA) Tracking and Data Relay Satellite System's (TDRSS) forward space-to-space link (TDRSS forward link-to-LEO).
9. In its operations of the EUTELSAT 139 West A space station in the 14.0-14.5 GHz (Earth-to-space), Eutelsat is urged to take all practicable steps to protect the radio astronomy service from harmful interference in accordance with footnotes 5.149 and US342 to the United States Table of Frequency Allocations, 47 CFR § 2.106, 5.149, US342.
10. Communications between U.S.-licensed earth stations and the EUTELSAT 139 West A space station in the 13.75-14.0 GHz frequency band (Earth-to-space) are subject to footnote US356 of the United States Table of Frequency Allocations, 47 CFR § 2.106, US356, which specifies a mandatory minimum antenna diameter of 4.5 meters and a recommended minimum and maximum equivalent isotropically radiated power (EIRP). Operations of any earth station located outside of the United States and its possessions communicating with the EUTELSAT 139 West A space station in the 13.75-14.0 GHz frequency band (Earth-to-space) to provide service to the United States must be consistent with footnote 5.502 of the International Telecommunication Union (ITU) Radio Regulations, which allows a minimum antenna diameter of 1.2 meters for earth stations of a geostationary satellite orbit network and specifies mandatory power limits. In the 13.75-14.0 GHz frequency band (Earth-to-space), receiving space stations in the fixed-satellite service must not claim protection from radiolocation transmitting stations operating in accordance with the United States Table of Frequency Allocations.
11. Operations of any earth station in the United States and its possessions communicating with the EUTELSAT 139 West A space station in the 13.75-14.0 GHz frequency band (Earth-to-space) must comply with footnote US357 to the United States Table of Frequency Allocations, 47 CFR § 2.106, US357, which specifies that the EIRP density of emissions must not exceed 71 dBW in any 6 MHz band for communications with a space station in geostationary-satellite orbit. Operations of any earth station located outside of the United States and its possessions communicating with the EUTELSAT 139 West A space station in the 13.77-13.78 GHz frequency band (Earth-to-space) to provide service to or from the United States must comply with footnote 5.503 to the ITU Radio Regulations, which specifies a required maximum EIRP density of emissions (limit is dependent on antenna diameter) for communications with a space station in geostationary-satellite orbit.
12. The operations of EUTELSAT 139 West A and associated earth stations in the Ku-band must comport with the applicable uplink and downlink limits in 47 CFR § 25.140(a)(3) of the Commission's rules, unless Eutelsat coordinates any non-conforming operations with the operations of U.S.-licensed geostationary orbit space stations within 6 degrees of the 139.2° W.L. orbital location.
13. Eutelsat's request for a waiver of 47 CFR § 2.106 of the Commission's rules to allow the use of the 12.5-12.7 GHz frequency on an unprotected, non-interference basis IS GRANTED. The 12.5-12.7 GHz frequency band is allocated to the Broadcasting-Satellite Service (BSS) in ITU Region 2 and the United States. Eutelsat's operations shall be on a non-interference and non-protected basis within the United States and its territories located in ITU Region 2. Additionally, EUTELSAT 139 West A will protect terrestrial station operations by complying with ITU PFD limits specified in No. 21.16 of the ITU Radio

ATTACHMENT TO GRANT
Eutelsat S.A.
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Regulations. As a non-conforming user of the 12.5-12.7 GHz band in ITU Region 2, EUTELSAT 139 West A must not cause harmful interference to existing and future authorized users who are operating in accordance with the Table of Allocations in ITU Region 2 and must accept interference from such authorized users, including any future U.S. BSS operations at 148° W.L. Waiver is justified because FSS operations in this band is consistent with No. 5.492 of the ITU Radio Regulations and there are no U.S. BSS satellites transmitting from orbital locations within 20° of the 139.2° W.L. orbital location.

14. Eutelsat's request for a waiver of 47 CFR § 2.106 of the Commission's rules to permit the provision of FSS within Region 2 and the United States in the 12.7-12.75 GHz frequency band (space-to-Earth) IS GRANTED, subject to the following conditions:
 - a. Eutelsat shall not cause any harmful interference to existing and future authorized users operating in the United States in accordance with the U.S. Table of Frequency Allocations and shall accept any interference in the United States from such authorized users, including CARS operators, BAS operators, Private Operational Fixed Point-to-Point Service (OFS) operators and Common Carrier Local TV Transmission Service (LTTS) operators;
 - b. In the event of harmful interference to any authorized services operating in accordance with the ITU Table of Frequency Allocations resulting from Eutelsat's use of the 12.7-12.75 GHz band in Region 2, Eutelsat shall immediately cease operations in that band;
 - c. In the event that Eutelsat receives any report of harmful interference, Eutelsat shall inform the Commission of this and provide details of how it has been resolved;
 - d. To further protect services in this band, the power flux density limits (PFD) at the surface of the Earth for transmissions from the satellite in the band 12.7 - 12.75 GHz shall not exceed the limits specified in rule No. 21.16 of the ITU Radio Regulations.¹
15. Eutelsat's request for a waiver of the milestone and bond requirements of Section 25.137(d)(1) of the Commission's rules, 47 CFR § 25.137(d)(1) is granted. These requirements are intended to encourage satellite licensees to expeditiously build and launch their satellites and begin operations. Because EUTELSAT 139 West A is currently in orbit, and prepared to move to the 139.2° W.L. orbital location, we find these requirements unnecessary.
16. Eutelsat's request for a waiver of Section 25.210(j) of the Commission's rules, 47 CFR § 25.210(j), to allow EUTELSAT 139 West A operate with a station-keeping tolerance of $\pm .10^\circ$ is granted. Section 25.210(j) states that space stations "must be maintained within 0.05 degrees of their assigned orbital longitude in the east/west direction, unless specifically authorized by the Commission to operate with a different longitudinal tolerance." Eutelsat states that operating EUTELSAT 139 West A at a $\pm .10^\circ$ station-keeping tolerance will have no adverse impact on other operators because the volume will not overlap with that of any other satellites. Moreover, any increase in the interference that may be caused to neighboring satellites has been taken into account. According to Eutelsat, the larger station-keeping volume will also allow Eutelsat to conserve fuel and extend the life of EUTELSAT 139 West A. This waiver is limited to this spacecraft, does not extend any other spacecraft, and it is limited to operations at the 139.2° W.L. orbital location.
17. Eutelsat's request for a waiver of Section 25.283(c) is granted. Section 25.283(c) specifies that space stations must discharge all stored energy sources at end-of-life of the space station. EUTELSAT 139 West A is an Astrium Eurostar Spacebus 3000 spacecraft that is not designed to vent all of its pressurized systems. Following the launch of the spacecraft on March 16, 2004, two helium pressurant tanks were

¹ Article 21.16 of the International Radio Regulations imposes power flux density (PFD) limits on FSS downlink transmissions in the 12.2-12.7 GHz band within Region 3 and 12.5-12.75 GHz band within Region 1 in order to protect terrestrial services. As Eutelsat's non-conforming downlink transmissions are also in a terrestrial service band, we impose these same PFD limits on Eutelsat's downlink transmissions in the 12.7-12.75 GHz band in the United States.

ATTACHMENT TO GRANT
Eutelsat S.A.
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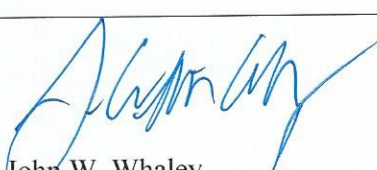
permanently sealed by firing pyrotechnic valves. As a result, at the end of EUTELSAT 139 West A's operational life, there will be helium remaining in the tanks that cannot be vented. Eutelsat states that at end of life there will be 1.5 kilograms of helium remaining in the 178 liter tank. We grant the requested waiver because EUTELSAT 139 West A compliance with Section 25.283(c) is not achievable except through direct retrieval of the spacecraft.

18. Pursuant to Section 25.280(a), 47 CFR § 280(a), Eutelsat must notify the Commission by letter within 30 days after the last north-south station-keeping maneuver. Eutelsat is required to operate EUTELSAT 139 West A pursuant to Section 25.280(b), 47 CFR § 280(b).
19. Eutelsat's grant of market access will terminate in the event that the EUTELSAT 139 West A space station is relocated from the 139.2° W.L. orbital location or ceases to operate. If Eutelsat seeks to provide service to the United States using another space station or seeks U.S. market access via EUTELSAT 139 West A from another location, it must file a new petition for market access.

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.

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:	April 8, 2020	
Term Dates	From: April 8, 2020	To: see conditions
Approved:  John W. Whaley Acting Chief, Satellite Policy Branch		

9-16. Name of Contact Representative			
Name:	Carlos M. Nalda	Phone Number:	+1 571 332 5626
Company:	LMI Advisors, LLC	Fax Number:	
Street:	2550 M Street, NW, Suite 300	E-Mail:	cnalda@lmiadvisors.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20037
Attention:	Carlos M. Nalda	Relationship:	Other

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. (N/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)
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17c. Is a fee submitted with this application? ☐ If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). ☐ Governmental Entity ☐ Noncommercial educational licensee ☒ Other (please explain): Non-feeable request for market access
17c. Fee Classification
18. If this filing is in reference to an existing station, enter: (a) Call sign of station: Not Applicable
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

TYPE OF SERVICE

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:

- ☒ a. Fixed Satellite
- ☒ b. Mobile Satellite
- ☐ c. Radiodetermination Satellite
- ☐ d. Earth Exploration Satellite
- ☐ e. Direct to Home Fixed Satellite
- ☐ f. Digital Audio Radio Service
- ☐ g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

☒ Common Carrier ☐ Non-Common Carrier

22. If earth station applicant, check all that apply.
Not Applicable

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

☒ Connected to a Public Switched Network ☐ Not connected to a Public Switched Network ☒ N/A

24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).

☐ a. C-Band (4/6 GHz) ☒ b. Ku-Band (12/14 GHz)

☐ c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)

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
 Space Debris Plan

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.

29. Is the applicant a foreign government or the representative of any foreign government?	☐ Yes ☒ No
30. Is the applicant an alien or the representative of an alien?	☒ Yes ☐ No ☐ N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	☒ Yes ☐ No ☐ N/A
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?	☒ Yes ☐ No ☐ N/A
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?	☒ Yes ☐ No ☐ N/A
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.	

BASIC QUALIFICATIONS

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.	☒ Yes ☐ No Engineering Statement
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.	☐ Yes ☒ No
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.	☐ Yes ☒ No
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	☐ Yes ☒ No
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.	☐ Yes ☒ No

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.	
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.	Yes ☒ No ☐
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.	Yes ☒ No ☐
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? France	

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.)

Request for Market Access/Permitted List for EUTELSAT 139 West A

Legal Narrative

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 Jean-Hubert Lenotte	46. Title of Person Signing Director, Strategy and Resources
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).	

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