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VIA HAND DELIVERY

April 22, 2004

Marlene H. Dortch
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

RECEIVED

APR 22 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Received
MAY 05 2004
Policy Branch
International Bureau

**Re: Star One S.A. Petition for Declaratory Ruling To Add the Star One C1
Satellite at 65° W.L. to the Permitted Space Station List;
Call Sign S2611, File No. SAT-PPL-20031230-00367**

Dear Ms. Dortch:

Star One S.A. ("Star One") hereby submits the following additional information for association with the above-referenced petition for declaratory ruling.¹ Star One seeks to clarify the implementation schedule for the Star One C1 satellite, to inform the space station milestones established by the Commission in connection with grant of the petition.

As indicated in the petition, Star One has executed a contract with Alcatel Space for the Star One C1 satellite and construction of the satellite has begun.² More specifically, construction has commenced on certain long lead-time items (*i.e.*, elements of the spacecraft that will not change even if the other aspects of the satellite are modified while finalizing the design), but other critical milestones have not yet occurred. The planned implementation schedule for the Star One C1 is set forth below:

¹ Star One S.A. Petition for Declaratory Ruling To Add the Star One C1 Satellite at 65° W.L. to the Permitted Space Station List, File No. SAT-PPL-20031230-00367 (rel. Dec. 30, 2003).

² *See id.* at 7.

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Star One C1 Implementation Schedule

- Satellite construction contract: 30 September 2003
- Commencement of construction: November 2003
- Preliminary Design Review (“PDR”): February 2004
- Critical Design Review (“CDR”): December 2004
- Launch: June 2006

This implementation schedule is consistent with the space station milestones imposed by the Commission in connection with placing unlaunched foreign-licensed satellites on the Permitted Space Station List.

To afford foreign-licensed satellite operators the same amount of time to implement their networks as U.S. space station licensees, the Commission examines the milestones actually completed by the foreign satellite operator and calculates from the grant of the petition the time to complete unmet milestones permitted under the Commission’s implementation schedule for geostationary satellites. For example, in the *Estrela do Sul Order*,³ construction of the satellite had been completed (thus the contract execution, CDR and commencement of construction milestones had been satisfied) and the only unmet milestone was launch and operation of the satellite. Accordingly, the Commission looked to the milestone immediately preceding the unmet launch and operation milestone -- commencement of construction -- and afforded the operator two years (the full period between the milestones) from grant of the petition to launch its satellite.⁴

In this case, although Star One has executed a construction contract for the Star One C1 satellite, the CDR will not be conducted until December 2004. Thus, the Commission must look to the milestone immediately preceding the unmet CDR milestone -- contract execution -- and establish dates for the remaining milestones based on the grant date of the petition. Specifically, Star One should be afforded one year from the date of grant to complete CDR for the Star One C1 satellite, two years from grant to commence construction, and four years from grant to launch and operate the satellite.⁵ As noted above, the implementation schedule for the Star One C1 satellite fully satisfies these milestones.

³ See, e.g., *Loral Skynet do Brasil Petition for Declaratory Ruling to Add Estrela do Sul 1 to the Commission's Permitted Space Station List*, *Order*, DA 03-4095, (rel. Dec. 23, 2003).

⁴ *Id.* at ¶16.

⁵ In this regard, commencing construction on certain long lead-time items should in no way reduce the period of time afforded to Star One to launch and operate the satellite, particularly because construction of the communications payload and related elements of the spacecraft cannot commence in earnest until the satellite design has been finalized in the CDR.

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Any questions regarding this matter may be directed to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alfred Mamlet / CN".

Alfred Mamlet
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Counsel for Star One S.A.

cc: Fern Jarmulnek
Jennifer Gilsenan
Cornell Williams
Kal Krautkramer