

Approved by OMB  
3060-0678

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File Number: SAT-PPL-20041004-00194  
Callsign/Satellite ID: S2646

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:  
Telesat Canada - Anik F2 - Petition for Declaratory Ruling (Ka-Band)

1-8. Legal Name of Applicant			
Name:	Telesat Canada	Phone Number:	613-748-0123
DBA Name:		Fax Number:	613-748-8712
Street:	1601 Telesat Court Ottawa, Ontario, K1B5P4	E-Mail:	R.Power@telesat.ca
City:		State:	
Country:	Canada	Zipcode:	-
Attention:	Mr. Robert D. Power		




File # SAT-PPL-20041004-00194  
S2646 Grant Date 1/19/05  
Term Dates  
To: see Anik F2 order  
Approved: [Signature]  
w/cond draws - Policy Branch/Red

**Attachment - SAT-PPL-20041004-00194, Call Sign S2646**  
**Conditions of Authorization**  
**January 19, 2005**

The Petition for Declaratory Ruling, SAT-PPL-20041004-00194, Call Sign S2646, filed by Telesat Canada, ("Telesat") to remove certain conditions from the *Anik F2 Order*<sup>1</sup> and declare that the Anik F2 satellite, which is licensed by Canada, is authorized to access the U.S. market from the 111.1° W.L. orbital location in the 18.3-18.8 GHz, 28.35-28.6 GHz<sup>2</sup> frequency bands IS GRANTED. Accordingly, paragraph 37 of the *Anik F2 Order* providing that Ka-band earth station operators authorized to access the Anik F2 satellite be required to operate on a non-harmful-interference basis is no longer applicable to the operation of the Anik F2 satellite. In addition, for the same reasons as articulated in the *Anik F2 Order*, the Anik F2 satellite is authorized to access the U.S. market from the 111.1° W.L. orbit location in the Ka-band in the 18.3-18.8 GHz, 28.35-28.6 GHz, and 29.25-29.5 GHz frequency bands in accordance with the terms, conditions, and technical specifications set forth in its petition, this Attachment, and the Federal Communications Commission's ("Commission") Rules. The conditions originally imposed in the *Anik F2 Order*, including those generally applicable to the Ka-band, otherwise remain in effect.

1. Telesat's request for partial waiver of Sections S6, S7, S8, S10 and S13 of Schedule S IS GRANTED. Considering the complexity of the Anik F2 satellite design, the amount of information that would need to be provided in these Sections of the Schedule S Form would be extensive and, in many ways, redundant. The information provided by Telesat in its Schedule S Form is sufficient for us to determine whether the system meets the Commission's technical requirements.
2. Telesat must conduct its operations pursuant to this authorization in a manner consistent with the power flux-density requirements of footnote US255 to the Table of Frequency Allocations, 47 C.F.R. § 2.106, 47 C.F.R. § 25.138(a)(6), and 47 C.F.R. § 25.208, of the Commission's Rules.
3. This grant does not in any way constitute an approval of Telesat's post-mission disposal plans for Anik F2.

 <b>GRANTED</b> International Bureau	File # <u>SAT-PPL-20041004-00194</u>
	Call Sign <u>S2646</u> Grant Date <u>1/19/05</u> (or other identifier)
	Term Dates From _____ To: <u>see Anik F2 Order</u>
	Approved: <u>[Signature]</u> <i>w/ cand. rows - Policy Branch</i>

<sup>1</sup> Telesat Canada, Petition for Declaratory Ruling For Inclusion of Anik F2 on the Permitted Space Station List; Petition for Declaratory Ruling to Serve the U.S. Market Using Ka-band Capacity on Anik F2, Order, DA 02-3490, 17 FCC Rcd. 25,287 (Int'l Bur. 2002) ("*Anik F2 Order*").

<sup>2</sup> In the Petition that preceded the *Anik F2 Order*, Telesat only sought to operate Anik F2 with U.S. earth stations in the 19.7-20.2 GHz and 29.5-30.0 GHz bands.

9-16. Name of Contact Representative (If other than applicant)

Name:	Jennifer D. Hindin	Phone Number:	202-719-7000
Company:	Wiley Rein & Fielding LLP	Fax Number:	202-719-7207
Street:	1776 K St, NW	E-Mail:	jhindin@wrf.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -
Contact Title:	Partner	Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing 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)

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): Permitted List Filing – no fee required

17c. Fee Classification    BNY – Space  
Station (Geostationary)

Number of Satellite: 0

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: 18300

Frequency Upper: 30000

(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  
PDR

**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  N/A

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.

Exhibit 2

#### 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

Technical Exhibit

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? Canada

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.)

Telesat Canada petitions the Commission for (1) a declaratory ruling confirming that use of Ka-band capacity in the 18.3-18.8 GHz, 28.35-28.6 GHz, and 29.25-29.5 GHz bands on Anik F2, a Canadian-licensed satellite, complies with U.S. market access policies, and (2) determine that the Ka-band portion of Anik F2 is two-degree compliant, such that the non-

#### 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  
Ted Ignacy

46. Title of Person Signing  
Vice President, Finance and Treasurer

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).

Completed Schedule S

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**43. Description. (Summarize the nature of the application and the services to be provided).**

Telesat Canada petitions the Commission for (1) a declaratory ruling confirming that use of Ka-band capacity in the 18.3-18.8 GHz, 28.35-28.6 GHz, and 29.25-29.5 GHz bands on Anik F2, a Canadian-licensed satellite, complies with U.S. market access policies, and (2) determine that the Ka-band portion of Anik F2 is two-degree compliant, such that the non-interference condition previously imposed on the Ka-band U.S. operations of Anik F2 in the 19.7-20.2 GHz and 29.5-30.0 GHz frequency bands can be removed and no similar condition need be imposed on operations in the other portion of the band.