

Approved by OMB  
3060-0678

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File Number: SAT-PPL-20050504-00094  
Callsign/Satellite ID: S2674

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 - Anik FIR - Petition for Declaratory Ruling (Replacement Satellite)

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-20050504-00094

Call Sign S2674 Grant Date July 21, 2005

Approved: [Signature]  
Policy Branch Chief  
w/conditions.

9-16. Name of Contact Representative

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein & Fielding LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wrf.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -
Attention:	Partner	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.

- (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)

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:	
<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)	
21. STATUS: Choose the button next to the applicable status. Choose only one. <input type="radio"/> Common Carrier <input checked="" type="radio"/> 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: <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	
24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s). <input checked="" type="checkbox"/> a. C-Band (4/6 GHz) <input checked="" type="checkbox"/> b. Ku-Band (12/14 GHz) <input type="checkbox"/> 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

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?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
30. Is the applicant an alien or the representative of an alien?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> 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?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> 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?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> 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

Exhibit 1

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 FCC for a declaratory ruling adding Anik F1R, a replacement satellite for the North American payloads on Anik F1, at 107.3 degrees W.L. to the Permitted List. See attached.

PDR

#### 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

**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

The public reporting for this collection of information is estimated to average 2 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 [jboley@fcc.gov](mailto:jboley@fcc.gov). PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

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**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.**

**SAT-PPL-20050504-00094**  
**Conditions of Permitted Space Station List Grant**  
**July 21, 2005**

1. Pursuant to Sections 303(r), 308, 309, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 303(r), 308, 309, 310, and Sections 0.261 and 25.137(c) of the Commission's rules, 47 C.F.R. §§ 0.261, 25.137(c), the Petition for Declaratory Ruling filed by Telesat Canada (Telesat) (File No. SAT-PPL-20050504-00094) to add the hybrid C and Ku-band ANIK F1R satellite (Call Sign S2674) located at the 107.3° W.L. orbital location, which is licensed by Canada, to the Commission's Permitted Space Station List is GRANTED. Accordingly, each U.S.-licensed earth station with "ALSAT" designated as a point of communication, IS GRANTED authority to provide Fixed Satellite Services (FSS) in the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 11.7-12.2 GHz (space-to-Earth) and 14.0-14.5 GHz (Earth-to-space) frequency bands, to, from, or within the United States, by accessing the ANIK F1R satellite (Call Sign S2674) at the 107.3° W.L. orbital location, in accordance with the technical specifications set forth in its petition for declaratory ruling, this Attachment, and the Commission's Rules and subject to the following conditions:

a) ANIK F1R is not authorized to provide any Direct-to-Home (DTH) service, Direct Broadcast Satellite (DBS) service, or Digital Audio Radio Service (DARS) to, from, or within the United States;


b) Communications between ALSAT-designated routine earth stations and the ANIK F1R satellite shall be in compliance with the satellite coordination agreements reached between Canada and other administrations;

c) Telesat's request for waiver of Section 25.210(a)(3) of the Commission's rules is GRANTED as conditioned. Section 25.210 requires that all space stations in the FSS used for domestic service in the C-band shall be capable of switching polarity upon ground command. This provision is required for two reasons: to permit U.S.-licensed satellites the flexibility to be assigned to different U.S. orbital positions and to mitigate potential interference between adjacent FSS systems transmitting analog TV signals. The transmission polarization of the C-band payload of Telesat's ANIK F1R satellite cannot be reversed from the ground. Telesat indicates that it has completed international coordination of ANIK F1R with the operators of the adjacent satellites serving the U.S. market. Telesat indicates that the coordination takes into account the potential for interference between adjacent FSS transmitting analog TV. Telesat further confirms that ANIK F1R will carry FM TV signals (a subset of analog TV signals) only on transponders that have been coordinated for such use. Thus, as a condition of this waiver, Telesat is only permitted to transmit or receive FM video TV signals on transponders that have been coordinated and ANIK F1R must accommodate future satellite networks serving the United States that are two-

degree compliant. Grant of this waiver request is consistent with our precedent;<sup>1</sup> and

d) Telesat's request for wavier of Section 25.210(i) of the Commission's rules IS GRANTED. Section 25.210(i) directs, "Space station antennas in the Fixed-Satellite Service must be designed to provide a cross-polarization isolation such that the ratio of the on axis co-polar gain to the crosspolar gain of the antenna in the assigned frequency band shall be at least 30 dB within its primary coverage area." Telesat indicates that the cross-polarization isolation for ANIK F1R over Hawaii does not meet the 30 dB ratio. Telesat, however, notes that because the ratio in that limited case exceeds 27 dB, the shortfall will not produce a significant increase in interference, except to ANIK F1R. Grant of this waiver request is consistent with our precedent.<sup>2</sup>

2. 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 adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.1 15 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.

 International Bureau	File#	SAT-PPL-20050504-00094
	Identifier	S2674
	Grant Date	July 21, 2005
	Term Dates	To: _____
Approved:		<i>[Signature]</i> Policy Branch Chief w/condition

<sup>1</sup> See Mabuhay Philippines Satellite Corp. Petition for Declaratory Ruling, Application of Loral CyberStar, Inc. for Authority to Operate Two Transmit/Receive Earth Stations at Kapolei, Hawaii, for Use in Conjunction with the Mabuhay Satellite Located at 146 E.L., *Order and Authorization*, 15 FCC Rcd 23671, 23676 para. 13 (2000) (granting a waiver of section 25.210(a)(3) and imposing the same condition imposed here).

<sup>2</sup> 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, *Order*, 19 FCC Rcd 16334 (Sat. Div. 2004) (finding that the impact on neighboring satellite systems of a 3-5 dB difference from the required cross polarization isolation ratio would be negligible).