

Approved by OMB
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File Number: SAT-PPL-20060330-00035
Callsign/Satellite ID: S2696

SATCOM C-4 PPL @ 104.95° W. L. O

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

FCC Use Only

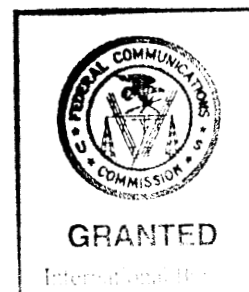
APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

SES Gibraltar Permitted List Filing for C-4

1-8. Legal Name of Applicant

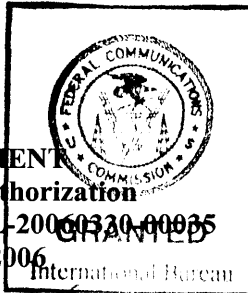
Name:	SES Satellites (Gibraltar) Limited	Phone Number:	609-987-4000
DBA Name:		Fax Number:	609-987-4233
Street:	Suite 9A Leanse Place	E-Mail:	nancy.eskenazi@ses-americom.com
	50 Town Range		
City:		State:	
Country:	Gibraltar	Zipcode:	-
Attention:	Nancy J. Eskenazi		



w/conditions

File # SAT-PPL-20060330-00035
Call Sign S2696 Grant Date June 21, 2006
(or other identifier) Term Dates
From see condition 1 To
Authorized by [Signature]
Policy Branch Chief

ATTACHMENT
Conditions of Authorization
IBFS File No. SAT-PPL-20060330-00035
June 21, 2006



File # SAT-PPL-20060330-00035

Call Sign S2696 Grant Date June 21, 2006

(or other identifier)

Term Dates

From See Condition 1 To:

Approved: [Signature]

W/conditions Policy Branch Chief

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, and 310, and Sections 0.261 and 25.137(c) of the Commission's rules, 47 C.F.R. §§ 0.261, and 25.137(c), the petition for declaratory ruling filed by SES Satellites (Gibraltar) Ltd., SAT-PPL-20060330-00035,¹ to add the C-band Satcom C-4 satellite located at the 104.95° W.L. orbital location, which is licensed by Gibraltar, to the Commission's Permitted Space Station List IS GRANTED. Accordingly, each earth station with "ALSAT" designated as a point of communication IS GRANTED authority to provide Fixed Satellite Services (FSS) to, from, or within the United States, by accessing the Satcom C-4 satellite at the 104.95° W.L. orbital location in the 5925-6425 MHz (Earth-to-space) and 3700-4200 (space-to-Earth) MHz frequency bands, in accordance with the technical specifications set forth in the petition for declaratory ruling, this Attachment, and the Commission's Rules and subject to the following conditions:

1. This action is effective upon the date that the Satcom C-4 satellite reaches the 104.95° W.L. orbital location and the U.S. license for that satellite is terminated.² SES Satellites (Gibraltar) Ltd. shall inform the Commission, through a letter to the Chief, Satellite Division, FCC, within five business days following the date on which the Satcom C-4 satellite arrives at the 104.95° W.L. orbital location.
2. Satcom C-4 is not authorized to provide any Direct-to-Home Service, Direct Broadcast Service, or Digital Audio Radio Service to, from, or within the United States.
3. Communications between ALSAT-designated routine earth stations and the Satcom C-4 satellite shall be in compliance with coordination agreements reached between Gibraltar and the United Kingdom and other administrations.
4. The Federal Communications Commission has exchanged letters with the United Kingdom Office of Communications and the Gibraltar Regulatory Commission to ensure a mutual understanding regarding the operations of the Satcom C-4 satellite. The understandings and factual basis for these understandings are attached in Annex A, and are material considerations for the grant of this authority.
5. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 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.

¹ The petition for declaratory ruling was placed on public notice as accepted for filing on April 14, 2006. See Policy Branch Information, Satellite Space Applications Accepted for Filing, Report No. SAT-00354 (released April 14, 2006). No comments were filed.

² See IBFS File No. SAT-STA-20060330-00034 (granted on June 16, 2006) (condition 6 states that "[E]ffective upon the date the Satcom C-4 satellite reaches the 104.95° W.L. orbital location, the U.S. license for that satellite (Call Sign: S2446) is terminated.").

ANNEX A



International Bureau

Federal Communications Commission
Washington, DC 20554

June 16, 2006

Mr. Paul J. Canessa
Chief Executive
Gibraltar Regulatory Authority
Suite 811, Europort
Gibraltar

Malcolm Johnson
International Coordinator
Ofcom
Riverside House
2a Southwark Bridge Road
London SE19HA
United Kingdom

Re: Operations of the Satcom C-4 Space Station

Dear Messrs. Canessa and Johnson:

This letter is to confirm the informal understandings of the Gibraltar Regulatory Authority (GRA), the Office of Communications of the United Kingdom (Ofcom) and the Federal Communications Commission (FCC) concerning certain issues involved in the operation of a geostationary satellite known as Satcom C-4 by SES Americom, Inc. (SES Americom) and SES Satellites (Gibraltar) Ltd. (SES Gibraltar), a wholly-owned indirect subsidiary of SES Americom.

Background

SES Americom is authorized by the FCC to operate the Satcom C-4 space station at the 85° W.L. orbital location. Satcom C-4 is a C-band-only space station. SES Americom and SES Gibraltar plan to move the Satcom C-4 space station from the 85° W.L. orbital location to the 104.95° W.L. orbital location, where the satellite will operate until the anticipated launch of AMC-18 to that location in late 2006. AMC-18, also a C-band-only space station, is currently under construction. On March 6, 2006, the GRA authorized SES Gibraltar to operate the Satcom C-4 satellite at the 105° W.L. orbital location. That license was conditioned upon using a satellite control center established in Gibraltar to undertake the primary method of telemetry, tracking and control (TT&C) of

the satellite. The GRA subsequently granted SES Gibraltar a temporary waiver in order to continue to conduct TT&C operations of Satcom C-4 from an earth station in the United States until a satellite control center in Gibraltar is able to undertake those functions.

On April 19, 2006, the FCC granted SES Americom special temporary authority to conduct TT&C operations of the Satcom C-4 space station as it drifts from the 85° W.L. orbital location to the 103.1° W.L. orbital location. SES Americom has also requested special temporary authority to conduct TT&C operations of the Satcom C-4 space station as it drifts from the 103.1° W.L. orbital location to the 104.95° W.L. orbital location. Any operations of Satcom C-4 at the 104.95° W.L. orbital location will be coordinated with operations of the AMC-15 satellite, which operates at the 105.05° W.L. orbital location pursuant to an FCC authorization, so that there will be no overlap in the station-keeping volumes of the two satellites.

SES Americom and SES Gibraltar contemplate that upon arrival of the Satcom C-4 space station at the 104.95° W.L. orbital location, licensing authority over the spacecraft will transfer from the FCC to the GRA, except that TT&C will continue to be performed from SES Americom earth station facilities located in the United States and licensed by the FCC, until a satellite control center established in Gibraltar is able to undertake those functions. Once the Satcom C-4 space station begins operations under a Gibraltar license, SES Gibraltar must apply for and obtain a license in accordance with the provisions of the Gibraltar Teleport Facility License Regulations 1998, for TT&C ground station operations.

Informal Understandings between the GRA, Ofcom, and the FCC on certain technical issues concerning operation of Satcom C-4

It is my understanding that our agencies have concurred on the following technical issues concerning the operation of Satcom C-4:

1. Until completion of maneuvers to station the Satcom C-4 satellite at the 104.95° W.L. orbital location, it will operate subject to FCC authority.
2. Upon completion of maneuvers necessary to station the Satcom C-4 satellite at the 104.95° W.L. orbital location, and thereafter, the Satcom C-4 satellite will operate subject to the GRA's authority. Ofcom and the GRA will thereafter have responsibility, in accordance with their respective competencies, for compliance with the ITU Radio Regulations (including the requirement for licensing as specified in Article 18.1 of the Radio Regulations, and any applicable agreement-seeking procedures) in connection with operation of the Satcom C-4 satellite.
3. The GRA shall consult with the FCC at the earliest possible date upon receipt of any request for termination of the GRA license, or any request to transfer control of the license, if the request will result in licensing the Satcom C-4 satellite under the authority of a third Administration.

4. The GRA will condition the Satcom C-4 License to require SES Gibraltar to maintain, barring catastrophic failure of satellite components, the capability to de-orbit the Satcom C-4 spacecraft to an orbit with a perigee at an altitude of no less than 35,936 kilometers.

The informal understandings set forth in this letter concerning operation of the Satcom C-4 satellite do not constitute a concurrence by the United States Administration with any filings made to the ITU Radiocommunication Bureau in connection with the operations of the Satcom C-4 spacecraft. It is my understanding that the FCC and Ofcom will, separately, and as part of the agreement-seeking process applicable under the ITU Radio Regulations, work in good faith to complete that process, insofar as necessary, in connection with the operation of the Satcom C-4 satellite.

The FCC has not issued any of the authorizations that would be necessary to provide service to customers in the United States using the Satcom C-4 satellite at the 104.95° W.L. orbital location. The FCC has received a petition to place the Satcom C-4 space station on the FCC's Permitted Space Station List so that the satellite can provide C-band services to the United States from the nominal 104.95° W.L. orbital location. This exchange of letters does not constitute approval of that request.

Finally, all notices, inquiries, and correspondence from GRA or Ofcom concerning these matters should be directed to the Chief, Satellite Division, International Bureau (phone number 202.418-0719) (e-mail: Robert.Nelson@fcc.gov, with a copy to Andrea.Kelly@fcc.gov and Mark.Young@fcc.gov), on the part of the FCC. The FCC will forward all notices, inquiries, and correspondence concerning these matters to the Chief Executive, Gibraltar Regulatory Authority (phone number +350 74636) (e-mail info@gra.gi) on the part of GRA, and to the International Coordinator, Ofcom

(phone number +44-207-783-4112) (e-mail Malcolm.Johnson@ofcom.org.uk) and Head of Space Services (e-mail Bob.Phillips@ofcom.org.uk) on the part of Ofcom. Please let us know if these addresses and phone numbers subsequently change.

If the foregoing corresponds to your understanding of the informal arrangements concerning the various technical issues involved in the operation of the Satcom C-4 space station, please confirm by return letter. Thank you.

Sincerely,



Robert G. Nelson
Chief
Satellite Division

cc: John Nelson
Vice President, Business Operations
SES Satellites (Gibraltar) Ltd.

Bob Phillips
Head of Space Services
Ofcom



Gibraltar Regulatory Authority

Suite 811, Europort
Gibraltar

Tel: +350 74636
Fax: +350 72166
e-mail: info@gra.gi

url: <http://www.gra.gi>

Your ref.
Our ref. 182A
Date 16 June 2006

Mr Robert G Nelson
Chief
Satellite Services
Federal Communication Commission
Washington, DC 20554
USA

Dear Mr Nelson

Operations of the Satcom C-4 Space Station

Thank you for your letter of 16 June 2006 to Ofcom and the GRA setting out our informal common understandings concerning the various technical issues involved in the operation of the Satcom C-4 space station.

I am pleased to confirm on behalf of the GRA that this corresponds to our understanding.

Yours sincerely

Paul J Canessa
Chief Executive

9-16. Name of Contact Representative

Name:	Karis A. Hastings	Phone Number:	202-637-5767
Company:	Hogan & Hartson L.L.P.	Fax Number:	202-637-5910
Street:	555 Thirteenth Street, NW	E-Mail:	KAHastings@HHLaw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20004 -1109
Attention:		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)

<p>17c. Is a fee submitted with this application?</p> <p><input type="radio"/> If Yes, complete and attach FCC Form 159.</p> <p>If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).</p> <p><input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee</p> <p><input checked="" type="radio"/> Other (please explain): Permitted List Filing – No Fee Required</p>					
<p>17c. Fee Classification BNY – Space Station (Geostationary)</p>					
<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station:</p> <p>Not Applicable</p>					
<p>19. If this filing is an amendment to a pending application enter:</p> <table border="0"> <tr> <td>(a) Date pending application was filed:</td> <td>(b) File number of pending application:</td> </tr> <tr> <td>Not Applicable</td> <td>Not Applicable</td> </tr> </table>		(a) Date pending application was filed:	(b) File number of pending application:	Not Applicable	Not Applicable
(a) Date pending application was filed:	(b) File number of pending application:				
Not Applicable	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

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
30. Is the applicant an alien or the representative of an alien?	<input type="radio"/> Yes <input checked="" 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 type="radio"/> Yes <input checked="" 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

<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? Gibraltar</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.)

SES Satellites (Gibraltar) Ltd. petitions the FCC for a declaratory ruling adding Satcom C-4 at 105 degrees W.L. to the Permitted List. See Attachment 1.

Attachment 1

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) Foreign Entity

45. Name of Person Signing
John Nelsen

46. Title of Person Signing
Vice President, Business Operations

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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