



Federal Communications Commission
Washington, D.C. 20554

DA 09-894

April 22, 2009

Mr. Donald M. Jansky
Jansky-Barmat Telecommunications, Inc.
1120 19th Street, N.W.
Washington, D.C. 20036-3614

Re: HISPAMAR SATÉLITES, S.A., Petition for Declaratory Ruling to add the AMAZONAS-2 Satellite at 61° W.L. to the Commission's Permitted Space Station List, IBFS File No. SAT-PPL-20081203-00219 (Call Sign: S2779)

Dear Mr. Jansky:

On December 3, 2008, HISPAMAR SATÉLITES, S.A. (HISPAMAR) filed the above-captioned Petition for Declaratory Ruling to add the AMAZONAS-2 satellite, which is licensed by Brazil, to the Commission's Permitted Space Station List.¹ On April 2, 2009, the Satellite Division dismissed the petition as defective for failure to provide the link budgets for the AMAZONAS-2 satellite required by Section 25.114(d)(4) of the Commission's rules² and for failure to provide a complete orbital debris mitigation plan for the satellite as required by Section 25.114(d)(14) of the rules.³

Upon further review, we find that HISPAMAR did supply link budgets for the satellite as attachments to its petition, but that these attachments did not appear as part of the petition due to a transcription error in the International Bureau's Filing System (IBFS). As a result, we conclude that the petition provides the link budget information and that failure to provide the information required by Section 25.114(d)(4) is no longer a ground for dismissal.

We confirm, however, that HISPAMAR's petition does not provide the complete technical information concerning the orbital debris mitigation plans for the AMAZONAS-2 satellite that is required by Section 25.114(d)(14) of the Commission's rules. Although HISPAMAR provides certain information about its plans to prevent the AMAZONAS 2 satellite from becoming a source of orbital debris, it does not provide all the information required by sub-parts (i) through (iv) of Section 25.114(d)(14). Accordingly, HISPAMAR's petition remains incomplete, as was described in the April 2 dismissal letter.

¹ The Commission's Permitted Space Station List comprises all satellites with which United States earth stations, with "routinely" authorized technical parameters and operating in the conventional C- or Ku-bands, are permitted to communicate, without additional Commission action.

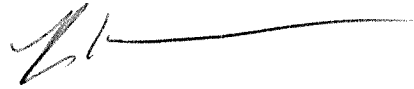
² 47 C.F.R. § 25.114(d)(4).

³ 47 C.F.R. § 25.114(d)(14).

In addition, although not a ground for dismissal, we request HISPAMAR to clarify, in any re-filing, the status of AMAZONAS-1. AMAZONAS-1 is a Ku-band satellite that is currently located at the 61° W.L. orbital location. This is the same location at which HISPAMAR intends to operate AMAZONAS-2.⁴ In particular, we request HISPAMAR to clarify any plans to de-orbit AMAZONAS-1 or to co-locate it with AMAZONAS-2.

Accordingly, we affirm the dismissal of HISPAMAR's petition to add the AMAZONAS-2 satellite to the Commission's Permitted Space Station List, without prejudice to HISPAMAR re-filing the petition with the missing orbital debris mitigation information. If you have any questions regarding this letter, please contact either Stephen Duall, (202) 418-1103, or Kathryn Medley, (202) 418-1211, of my staff.

Sincerely,



Robert G. Nelson
Chief, Satellite Division
International Bureau

⁴ See Petition for Declaratory Ruling to Add the AMAZONAS-2 Satellite at 1.