

S2783 SAT-PPL-20090107-00003 IE2009000033
Inmarsat plc
Inmarsat 3F4

Approved by OMB
3060-0678

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Callisgn/Satellite ID: S2783

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

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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Petition for Declaratory Ruling to Modify the ISAT List to Reflect Resumed Operations of 13F4 at 54 W.L.

1-8. Legal Name of Applicant

Name:	Inmarsat plc	Phone Number:	202-248-5155
DBA Name:		Fax Number:	202-248-5186
Street:	99 City Road	E-Mail:	diane_cornell@inmarsat.com
City:	London	State:	-
Country:	United Kingdom	Zipcode:	
Attention:	Ms. Diane J. Cornell		

See also SAT-PPL-20090115-00005



File # SAT-PPL-20090107-00003

Call Sign S2783 Grant Date 6 APR 2009
(or other identifier)

Term Dates

From _____ To: _____

Approved: [Signature] Chair

With Condition satellite Grant

**Attachment to Grant
Inmarsat plc
IBFS File. Nos. SAT-PPL-20090107-00003; SAT-APL-20090115-00005
Call Sign S2783
April 6, 2009**

The petition of Inmarsat plc (Inmarsat), IBFS File No. SAT-PPL-20090107-00003 (as amended by IBFS File No. SAT-APL-20090115-00005), pursuant to Section 25.137 of the Commission's rules, 47 C.F.R. § 25.137, to modify the "ISAT List" to include the Inmarsat 3F4 satellite, Call Sign S2783, at the 54° W.L. orbital location IS GRANTED.¹ Accordingly, any U.S.-licensed earth station with an ISAT authorization is permitted to access the Inmarsat 3F4 satellite at the 54° W.L. orbital location without additional authorization from the Commission, provided that the earth station complies with the Commission's technical requirements and operates under the conditions on its license. The grant of this petition is subject to the technical specifications set forth in Inmarsat's petition, the Commission's rules, and the following conditions:

1. Authority is granted pursuant to Section 25.210(j) of the Commission's rules, to permit operations of earth stations with the Inmarsat 3F4 satellite, maintained at ± 0.10 degree of the 54° W.L., subject to the condition that this waiver and the operations it permits shall terminate in the event that a satellite is launched into a location such that its stationkeeping volume would overlap the Inmarsat 3F4 satellite's ± 0.10 degree stationkeeping volume, but would not overlap the Inmarsat 3F4 satellite's $\pm 0.05^\circ$ degree stationkeeping volume, unless Inmarsat has successfully coordinated its physical operations with those of the other spacecraft.
2. Operations via the Inmarsat 3F4 satellite using a north-south inclination of as much as 2.7 degrees are granted, conditioned on operations of the 3F4 complying with the inclined orbit requirements set forth in Sections 25.280(b)(1)-(3) of the Commission's rules.
3. Licensees must comply with the terms of any L-band operator-to-operator coordination agreement. In the absence of a continuing L-band operator-to-operator coordination agreement, operations of METs in the 1525-1559 and 1626.5-1660.5 MHz bands will be on a non-harmful interference basis until a future operator-to-operator agreement is concluded. In this instance, each licensee must notify the other operators in these frequency bands that it will be operating on a non-harmful interference basis. Each licensee must notify its customers that its operations are on a non-harmful interference basis.
4. Inmarsat is afforded 30 days from the date of the release of this authorization to decline it, as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization, as conditioned.
5. This grant is issued pursuant to the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106, 1.116, 47 C.F.R. §§ 1.106, 1.116, may be filed within 30 days of the date of the public notice stating this action was taken.



File # SAT-PPL-20090107-00003

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¹ The Commission previously authorized Inmarsat to access the U.S. market via the I3F4 satellite from the 142° W.L. orbital location and included the I3F4 satellite on the ISAT List at this orbital location. See Inmarsat, Inc. Order, DA 08-2323, 23 FCC Rcd 15268 (Int'l Bur. rel. Oct. 21, 2008).

With Condition
Chris Satele
4/6/09

9-16. Name of Contact Representative			
Name:	John P. Janka	Phone Number:	202-637-2200
Company:	Latham & Watkins LLP	Fax Number:	202-637-2201
Street:	555 Eleventh Street, NW Suite 1000	E-Mail:	john.janka@lw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20004
Attention:	Mr. John P. Janka	Relationship:	Legal Counsel

CLASSIFICATION OF FILING

<p>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.</p> <p>a.</p> <p>(N/A) a1. Earth Station <input checked="" type="radio"/> a2. Space Station</p>	<p>b.</p> <p><input checked="" type="radio"/> 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</p> <p><input type="radio"/> b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States <input type="radio"/> b10. Replacement Satellite Application – no new frequency bands <input type="radio"/> b11. Replacement Satellite Application – new frequency bands (Not eligible for streamlined processing) <input checked="" type="radio"/> b12. Petition for Declaratory Ruling to be Added to the Permitted List (N/A) b13. Other (Please specify)</p>
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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): Non-Fee Filing — Petition for Declaratory Ruling

17c. Fee Classification

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: 1525 Frequency Upper: 1660.5 (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.

<p>29. Is the applicant a foreign government or the representative of any foreign government?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>30. Is the applicant an alien or the representative of an alien?</p> <p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A</p>
<p>31. Is the applicant a corporation organized under the laws of any foreign government?</p> <p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A</p>
<p>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?</p> <p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A</p>
<p>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?</p> <p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A</p>
<p>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.</p> <p>Exhibit A</p>

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 style="text-align: right;"> <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 style="text-align: right;"> <input checked="" type="radio"/> Yes <input type="radio"/> No Exhibit B </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 style="text-align: right;"> <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 style="text-align: right;"> <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 style="text-align: right;"> <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 style="text-align: right;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </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 style="text-align: right;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </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? United Kingdom</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.)

This petition for declaratory ruling requests that the Commission modify the ISAT List to reflect the resumed operations of the Innarsat 3 F4 satellite at the nominal 54 degree W. L. orbital location.

Annex A.21

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

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

Alison Horrocks

46. Title of Person Signing

Company Secretary

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).

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