



Federal Communications Commission  
Washington, D.C. 20554

November 4, 2010

Donald Jansky  
1120 19<sup>th</sup> Street, NW  
Suite 333  
Washington, DC 20036-3614

Re: Hispamar Satélites, S.A., IBFS File Nos. SAT-PPL-20090806-00081; SAT-PPL-20100506-00093 (Call Sign: S2813)

Dear Mr. Jansky:

This letter concerns the Satellite Division's information request of September 22, 2010, and your response of October 4, 2010 on behalf of Hispamar Satélites, S.A. (Hispamar).<sup>1</sup> Specifically, in the September 22 letter, the Satellite Division requested that Hispamar verify its statement that its Amazonas-2 satellite was capable of discharging all stored energy sources at end of life.<sup>2</sup> In the event that the statement was inaccurate, we requested that Hispamar amend its May 6, 2010 Petition to provide correct information. As part of such an amendment, we asked Hispamar to provide the mass of any sealed pressurant that will be left in the Amazonas-2 at end-of-life and the volume in which that mass is contained.

Hispamar responded by letter to Mr. Robert Nelson on October 4, 2010, in which it indicated that the statement was inaccurate in that some pressurant would remain sealed in the spacecraft

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<sup>1</sup> Because several pending earth station applications that seek access the Amazonas-2 satellite rely upon the information Hispamar filed in File No. SAT-PPL-20090806-00081, we will place a copy of this letter in those files. See NewCom International Inc., Application for Authority to Transmit to Amazonas-2, IBFS File No. SES-MFS-20100430-00497 (filed Apr. 30, 2010); Upstream Investments, LLC, Application to Modify Ku-band VSAT Network E090095, IBFS File No. SES-MOD-20100602-00666 (filed June 2, 2010); Upstream Investments, LLC, Application to Amend Ku-band VSAT Network E090095, IBFS File No. SES-AMD-20100809-01021 (filed Aug. 9, 2010); Sims Satellite and Data Corp., Application for Authority to Add Amazonas-2 as Point of Communication, IBFS File No. SES-AFS-20100818-01054 (filed Aug. 18, 2010).

<sup>2</sup> The statement was made as part of Hispamar's August 6, 2009 application for authority to add the Amazonas-2 satellite to the Commission's Permitted Space Station list, IBFS File No. SAT-PPL-20090806-00081, Attachment titled "Section 25.114(d) Technical Information" at un-numbered page 6, section 14.2. In its May 6, 2010 petition to add direct-to-home (DTH) service to the services allowed to be provided as part of inclusion of the Amazonas-2 satellite on the Permitted List, Hispamar relied upon the information contained in the August 6, 2009 application. Hispamar Satélites, S.A., Petition for Declaratory Ruling to Add Amazonas-2 at 61° W.L. to the Commission's Space Station List for the Provision of Subscription Direct-to-Home Video Service, IBFS File No. SAT-PPL-20100506-00093, at 8-9. ("May 6, 2010 Petition").

after end of life.<sup>3</sup> Hispamar did not, however, provide the mass of any sealed pressurant that will be left in the Amazonas-2 at end of life or the volume in which that mass was contained, nor did Hispamar file an amendment to its May 6, 2010 Petition to account for the correction of the inaccurate information. We therefore repeat our request that Hispamar provide the information requested in the September 22 letter as an amendment to the May 2010 Petition.

In addition, we request that Hispamar correct the inaccurate information regarding fuel venting that is contained in its original application to add Amazonas-2 to the Permitted List by uploading a copy of the amended venting information as a supplemental filing in IBFS File No. SAT-PPL-20090806-00081.

As a separate matter, we note that the May 6, 2010 Petition requests use of the extended Ku-band frequencies of 10.95-11.2 GHz and 13.75-14.0 GHz as part of its request to provide DTH service via the Permitted List.<sup>4</sup> However, authorization of operations in such extended band frequencies is not possible through the Permitted List, which is restricted to authorizations of communications in the conventional C- and Ku- bands.<sup>5</sup> Consequently, as part of any amendment, Hispamar may wish to withdraw the request to include extended Ku-bands in its application to add Amazonas-2 to the Permitted List for the provision of DTH services. Any such withdrawal would be without prejudice to Hispamar's ability to seek access to the U.S. market through a separate and appropriate procedural vehicle, such as an application for earth station authorization.<sup>6</sup>

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<sup>3</sup> Letter from Donald Jansky, Counsel for Hispamar Satélites, S.A., to Robert Nelson, Chief, Satellite Division, International Bureau, FCC (Oct. 4, 2010) (stating, "the E3000 design allows removing the chemical stored energy by depleting the chemical propulsion tanks. Albeit the E3000 design does not allow to completely depressurize the pressurant tank, however, the remaining pressure (30 bars) is far below the burst pressure (625 bars); in addition, the pressurant tank is located inside the central cylinder, well protected from external impact. Further, the E3000 design allows removal of the electrical stored energy by discharging the batteries and actuating the batteries bypasses.").

<sup>4</sup>May 6, 2010 Petition, at 1.

<sup>5</sup> *Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States*, First Order on Reconsideration, IB Docket No. 96-111, 15 FCC Rcd 7207, 7215, 7218 (¶¶ 19, 29) (1999).

<sup>6</sup> We note that there are several pending earth station applications to access the Amazonas-2 space station in the extended Ku-band frequencies listed in the May 6, 2010 petition. *See supra* note 1.

We request that Hispamar respond to this letter by November 17, 2010. Failure to do so may result in the dismissal of Hispamar's pending modification petition in its entirety pursuant to Section 24.112(c) of the Commission's rules, 47 C.F.R. § 25.112(c).

Sincerely,



Robert G. Nelson  
Chief, Satellite Division  
International Bureau

Cc: Timothy Bransford, Counsel to NewCom International, Inc.  
John Poindexter, Counsel to Upstream Investments, LLC  
Marshia Scioville, Counsel to Sims Satellite and Data Corp.