

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

Petition of

SES SATELLITES (GIBRALTAR) LIMITED

For Declaratory Ruling to Add the NSS-703
Satellite at 47.05° W.L. to the Commission's
Permitted Space Station List

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PETITION FOR DECLARATORY RULING

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November 3, 2010

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PETITION FOR DECLARATORY RULING

SES Satellites (Gibraltar) Limited ("SES Gibraltar")¹ hereby submits this Petition for Declaratory Ruling ("Petition"), pursuant to Section 25.137 of the Commission's rules,² to add the conventional C-band and the conventional Ku-band payloads on the NSS-703 satellite at the 47.05° W.L. orbital location to the Permitted Space Station List ("Permitted List").³ NSS-703 is expected to be on station and ready for service at the 47.05° W.L. orbital location by the beginning of March 2011. Grant of the Petition would serve the public interest by increasing the satellite capacity available to serve the U.S. market, enhancing competition, and allowing SES

¹ SES Gibraltar is an indirect, wholly-owned subsidiary of SES Americom, Inc. SES Americom, Inc. and New Skies Satellites B.V. are commonly owned, indirect subsidiaries of SES S.A., trading under the commercial brand name "SES WORLD SKIES."

² 47 C.F.R. § 25.137; *see also* *Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Services in the United States*, 12 FCC Rcd 24094 (1997) ("*DISCO II Order*"); *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*, 15 FCC Rcd 7207 (1999) ("*DISCO II Recon Order*"); *Amendment of the Commission's Space Station Licensing Rules and Policies*, 18 FCC Rcd 10760 (2003).

³ The NSS-703 satellite is capable of operating on the conventional C-band frequencies (3700-4200 MHz downlink; 5925-6425 MHz uplink), a portion of the conventional Ku-band frequencies (11.7-11.95 GHz downlink; 14.0-14.5 GHz uplink) and certain extended Ku-band downlink frequencies (*i.e.*, 10.95-11.2 GHz, 11.45-11.7 GHz, and 12.5-12.75 GHz), as explained in more detail in the Technical Appendix. SES Gibraltar does not seek authority in this Petition for U.S. market access for the extended Ku-band frequencies and intends to seek such access in a separate filing.

Gibraltar to meet customer demand while making more efficient use of satellite resources. The requested waivers of the Commission's technical rules are consistent with waivers previously granted by the International Bureau ("Bureau"), and the Petition otherwise meets the Commission's criteria for placement of a satellite on the Permitted List. For these reasons, SES Gibraltar respectfully requests expedited consideration and grant of this Petition.

I. BACKGROUND

SES Gibraltar is authorized by the Gibraltar Regulatory Authority ("GRA") to utilize the radiofrequencies in the GIBSAT-8B ITU satellite network filing submitted by the United Kingdom on behalf of Gibraltar for the nominal 47° W.L. orbital location.⁴ SES Gibraltar has arranged with its affiliate, New Skies Satellites B.V. ("New Skies"), to deploy the NSS-703 satellite to that orbital location where it is expected to operate until its commercial end-of-life.⁵

The NSS-703 satellite is expected to be on station and ready to provide service by the beginning of March 2011. Once the NSS-703 satellite arrives at the nominal 47° W.L. orbital location, SES Gibraltar will utilize radiofrequencies in accordance with its authorization from the GRA and the associated ITU filings. The satellite will provide Fixed Satellite Service ("FSS") in the C-band and Ku-band frequencies to various countries in the Americas, Africa, Europe, and the Middle East that are within the satellite's footprint. In light of the satellite's imminent arrival

⁴ Attached as Appendix A is a letter from the GRA confirming the authorized operations of NSS-703 at the nominal 47° W.L. orbital location.

⁵ New Skies operates the NSS-703 satellite pursuant to a license granted to it by The Netherlands under its Space Activities Act, and NSS-703 is listed presently, at the 57° E.L. orbital location, in The Netherlands' Registry of Space Objects. The planned operation of the spacecraft at the nominal 47° W.L. orbital location under Gibraltar ITU filings will not change the country-of-registry of the spacecraft, and New Skies will continue to be responsible for the spacecraft, including its de-orbiting in accordance with the authorization issued under The Netherlands' Space Activities Act. Attached as Appendix B is a letter from the Radiocommunications Agency Netherlands confirming that New Skies is authorized under The Netherlands' Space Activities Act to operate the NSS-703 satellite at the nominal 47° W.L. orbital location, where it will utilize radiofrequencies under the GIBSAT-8B ITU satellite network filing under a separate authority issued by the GRA.

date, SES Gibraltar respectfully requests expedited consideration of its Petition so that service to the United States can be initiated from this new orbital location.

II. GRANT OF THIS PETITION WILL SERVE THE PUBLIC INTEREST

Grant of SES Gibraltar's Petition will permit U.S.-licensed earth stations with "ALSAT" designations to provide services covered by the World Trade Organization ("WTO") Basic Agreement on Telecommunications ("WTO Agreement") on all routes to, from, and within the United States using the conventional C-band and conventional Ku-band frequencies via NSS-703.⁶ This would serve the public interest by increasing satellite capacity and FSS competition in the U.S. market. Grant of the Petition also will allow SES Gibraltar to meet customer demand while making more efficient use of satellite resources. Moreover, as explained in more detail below, placing NSS-703 on the Permitted List at 47.05° W.L. does not raise any offsetting concerns, and the requested technical waivers are consistent with waivers the Bureau has granted before.

III. THIS PETITION SATISFIES THE CRITERIA FOR PLACING A SATELLITE ON THE PERMITTED LIST

As shown below, SES Gibraltar's NSS-703 Petition satisfies the Commission's requirements for inclusion of the NSS-703 satellite on the Permitted List. In the *DISCO II Order*, the Commission established the criteria for evaluating requests to approve the use of non-U.S. licensed space stations to provide satellite service to, from, and within the United States.⁷ The Commission considers the effect on competition in the United States, spectrum availability, eligibility and operational requirements, and concerns related to national security, law

⁶ In this Petition, SES Gibraltar does not seek authority to provide any Direct-to-Home (DTH) service, Direct Broadcast Satellite (DBS) service, or Digital Audio Radio Service (DARS) to the United States. *See also supra* note 3.

⁷ *See DISCO II Order*, at ¶¶ 30-182.

enforcement, foreign policy, and trade.⁸ SES Gibraltar satisfies the criteria for addition of the NSS-703 satellite to the Permitted List, subject to the technical waivers described below and in the Technical Appendix.

A. Competition Considerations

As noted above, once the NSS-703 satellite arrives at the nominal 47° W.L. orbital location, SES Gibraltar will utilize the radiofrequencies pursuant to its Gibraltar authorization and the associated ITU filings. Gibraltar is a British Overseas Territory. The United Kingdom is responsible for the external relations of its territories, while each territory is responsible for its domestic law. Through the United Kingdom, Gibraltar is a WTO-member country. Accordingly, SES Gibraltar enjoys a presumption in favor of entry for NSS-703 for the provision of FSS services covered by the WTO Agreement, and need not make an effective competitive opportunities showing.⁹

Indeed, the Commission consistently has authorized U.S. market access for SES Gibraltar's satellites licensed by Gibraltar. In 2006, the Commission authorized the Gibraltar-licensed AMC-18 satellite to provide service to the United States using the conventional C-band frequencies.¹⁰ In 2008, the Commission approved the transfer of licensing jurisdiction of the AMC-21 satellite from the United States to Gibraltar, and granted U.S. market access for that satellite using the conventional Ku-band frequencies.¹¹

⁸ *See id.*

⁹ *See* 47 C.F.R. § 25.137(a)(2). In addition, as noted above, New Skies operates the NSS-703 satellite pursuant to a license granted to it by The Netherlands under its Space Activities Act, and The Netherlands is a WTO-member country. *See also infra* note 11 (listing decisions in which the FCC has authorized U.S. market access for satellites licensed to New Skies by The Netherlands).

¹⁰ *See* Stamp Grant, File No. SAT-PPL-20061006-00118 (December 7, 2006).

¹¹ *See* Stamp Grant, File No. SAT-ASG-20080609-00120 (August 6, 2008). The Commission has also consistently authorized U.S. market access for satellites licensed to New Skies by The Netherlands. *See New Skies Satellites N.V.*, 14 FCC Rcd 13003 (1999) ("*New Skies Market Access Order*"); *New Skies Satellite N.V.*, 16 FCC Rcd 6740

B. Spectrum Availability

The Commission considers spectrum availability as a factor in determining whether to allow a foreign-licensed satellite to serve the U.S. market and evaluates whether grant of access will create the potential for harmful interference with U.S.-licensed systems.¹² There is no satellite currently located or proposed to be located at the nominal 47° W.L. orbital location, and the C-band and Ku-band frequencies are available for use at that orbital location for service to the United States.

SES Gibraltar is in the process of coordinating its proposed operations with the operations of the adjacent satellites operating in the same bands, Intelsat 14 (Call Sign S2785) at 45.0° W.L. and Intelsat 1R (Call Sign S2368) at 50.0° W.L.¹³ As demonstrated in the Technical Appendix (at Section 17), the proposed operations are not expected to cause harmful interference to the adjacent satellites, and SES Gibraltar will operate the NSS-703 satellite on a non-interference basis, with respect to any two-degree-compliant satellite system serving the U.S., located as close as two degrees away and having higher ITU priority, until coordination with any such system is complete. As a result, SES Gibraltar's operation of NSS-703 at 47.05° W.L. is not expected to cause any harmful interference to another satellite system serving the United States.

C. Eligibility Requirements

The Commission concluded in the *DISCO II Order* that, in order to be granted access to the U.S. market, space station operators not licensed by the Commission will be required to meet the same qualifications that U.S.-licensed space station operators must meet to obtain a satellite

(Int'l Bur. 2001) ("*New Skies 2001 PDR*"); *New Skies Satellites N.V.*, 17 FCC Rcd 10369 (Int'l Bur. 2002) ("*New Skies 2002 PDR*"); Stamp Grant, File Nos. SAT-PPL-20080811-00152, SAT-APL-20081212-00230 (February 10, 2009); Stamp Grant, File Nos. SAT-PPL-20091208-00142, SAT-APL-20100219-00034 (June 4, 2010).

¹² See *DISCO II Order*, ¶¶ 149-50.

¹³ See Stamp Grant, File No. SAT-RPL-20090123-0007 (granted October 1, 2009); Stamp Grant, File No. SAT-MOD-20090720-00073 (granted August 5, 2010).

license.¹⁴ The information provided in this Petition, including the associated attachments, Schedule S, and FCC Form 312, demonstrates that SES Gibraltar satisfies these requirements.

1. Legal and Technical Qualifications

The Commission grants petitions for declaratory ruling to add a non-U.S. licensed satellite to the Permitted List when the request is accompanied by information demonstrating compliance with Sections 25.114 and 25.137 of the Commission's rules.¹⁵ SES Gibraltar's legal qualifications are a matter of record in light of previous grants of U.S. market access for the AMC-18 and AMC-21 satellites. The relevant information is set forth again in this Petition, associated Appendices, and the accompanying FCC Form 312. The technical aspects of NSS-703's proposed operations can be found in the FCC Form 312, the Schedule S, and the Technical Appendix. Taken together, these materials demonstrate that SES Gibraltar meets the Commission's legal and technical requirements for placement of the NSS-703 satellite on the Permitted List at 47.05° W.L., subject to the waivers requested below. SES Gibraltar notes that the FCC has previously placed a number of satellites with similar or identical technical characteristics on the Permitted List.¹⁶

2. Waiver Requests

The Commission may waive a rule if there is good cause to do so, if warranted by special circumstances, and if a deviation from the rule would better serve the public interest than would

¹⁴ See *DISCO II Order*, ¶¶ 154-59.

¹⁵ See *DISCO II Recon Order*, ¶¶ 10, 16, 28-30; 47 C.F.R. §§ 25.114 (setting forth requirements for space station authorizations), 25.137 (setting forth requirements for earth stations operating with non-U.S. licensed space stations).

¹⁶ See *New Skies 2001 PDR*; *New Skies 2002 PDR*; Stamp Grant, File Nos. SAT-PPL-20080811-00152, SAT-APL-20081212-00230 (February 10, 2009); Stamp Grant, File Nos. SAT-PPL-20091208-00142, SAT-APL-20100219-00034 (June 4, 2010).

strict adherence to the general rule.¹⁷ SES Gibraltar requests waivers to accommodate certain technical characteristics of the NSS-703 satellite. In general, these deviations arise as a result of the design of the former INTELSAT satellites, whose origins are in international rather than domestic service, and provide a legitimate basis for waivers of the Commission's rules.¹⁸ Additionally, the NSS-703 satellite is not expected to cause harmful interference to the adjacent satellites, as demonstrated in the Technical Appendix.¹⁹ Under similar circumstances, the Commission has held that waivers of its rules are warranted.²⁰

Moreover, the NSS-703 satellite substantially complies with the Commission's technical requirements, including its two-degree spacing policy, and to the extent it does not, allowing such non-conforming operations would better serve the public interest than would strict adherence to the general rule, given the identified public interest benefits and the lack of harmful interference expected from the proposed operations. Accordingly, for these and other reasons specified below, grant of the following waivers is warranted.

Section 25.202(g). This section requires that TT&C functions be conducted at either or both edges of the allocated frequency band.²¹ However, the TT&C carriers on the NSS-703 spacecraft are located near the center of the C-band.²² This practice is a product of the historic

¹⁷ See, e.g., *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972); *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); 47 C.F.R. § 1.3.

¹⁸ See *supra* note 16; see also *In the Matter of the Applications of Intelsat LLC*, 15 FCC Rcd 15460 (2000).

¹⁹ See Technical Appendix, at Section 17.

²⁰ See *supra* note 16; see also *In the Matter of Applications of Intelsat LLC*, 15 FCC Rcd 15460 (2000); *DIRECTV Enterprises, LLC*, 21 FCC Rcd 8028 (Int'l Bur. 2006); *In the Matter of EchoStar Satellite Operating Corporation*, 21 FCC Rcd 14780 (Int'l Bur. 2006).

²¹ 47 C.F.R. § 25.202(g).

²² Certain tracking beacons on the NSS-703 satellite are located at the edges of the conventional and extended Ku-bands. See Technical Appendix, at Section 6. By this Petition, SES Gibraltar is seeking only authority for U.S. market access of the conventional Ku-band frequencies, including the associated tracking beacons. SES Gibraltar intends to file separately for authority for U.S. market access of the extended Ku-band frequencies, including the extended Ku-band beacons.

international origins and specific design of the INTELSAT system, which New Skies inherited with the transfer of the NSS-703 satellite from INTELSAT, and is a legitimate basis for waiver of the Commission's rules.²³ Additionally, the NSS-703 satellite is not expected to cause harmful interference to the adjacent satellites, as demonstrated in the Technical Appendix.²⁴ Accordingly, the Bureau should waive this rule for NSS-703, consistent with its prior decisions.²⁵

Sections 25.210(a)(1) and (3). These sections require that space stations operating in the C-band use orthogonal linear polarization and that they be capable of switching polarization sense upon ground command.²⁶ The NSS-703 satellite uses circular polarization rather than linear polarization and is not capable of switching polarization on ground command. This practice is the product of the historic international origins and specific design of the INTELSAT system, and is a legitimate basis for waiver of the Commission's rules.²⁷

The purposes of the rule are 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 in the C-band. However, SES Gibraltar does not intend to operate this satellite at any other U.S. orbital position, or to transmit analog TV signals in the C-band unless such operations are coordinated with adjacent satellites. Additionally, the NSS-703 satellite is not expected to cause harmful interference to the adjacent satellites, as demonstrated in the

²³ See *supra* note 18.

²⁴ See Technical Appendix, at Section 17.

²⁵ See *supra* note 18.

²⁶ 47 C.F.R. §§ 25.210(a)(1) and (a)(3).

²⁷ See *supra* note 18.

Technical Appendix.²⁸ Accordingly, the Bureau should waive these rules for NSS-703, consistent with its prior decisions.²⁹

Section 25.210(i). This section requires FSS space station antennas to provide cross-polarization isolation such that the ratio of the on-axis co-polarization gain to the cross-polarization gain of the antenna in the assigned frequency band is at least 30 dB within its primary coverage area.³⁰ As explained more fully in the Technical Appendix, NSS-703 will operate with less than 30 dB of cross-polarization on certain beams in its primary coverage areas. As with other INTELSAT-VII-series spacecraft, the cross-polarization isolation performance for the NSS-703 satellite is 35 dB for the C-band global beam and 27 dB for all other C-band beams. For the Ku-band spot beams, the worst-case cross-polarization isolation is in the 17-20 dB range.³¹ As the FCC has explained, this requirement in conjunction with the C-band analog video frequency plan specified in 47 C.F.R. § 25.111(a) serves "to minimize the interference between adjacent satellites when both are carrying analog video signals with highly peaked spectra."³² SES Gibraltar, however, will not transmit analog video signals in the C-band frequencies, unless such operations are coordinated with adjacent satellites. Moreover, and in any event, the FCC has recognized that cross-polarization performance has a negligible impact on neighboring satellite systems,³³ and only SES Gibraltar itself would suffer from potential

²⁸ See Technical Appendix, at Section 17.

²⁹ See *supra* note 18.

³⁰ 47 C.F.R. § 25.210(i)(1).

³¹ See Letter from Jennifer Wheatley, Counsel for Intelsat LLC, to Magalie Roman Salas, Secretary, FCC, *filed in Intelsat LLC Application for C-band and Ku-band Global Satellite System*, File Nos. SAT-A/O-20000119-00002 through SAT-A/O-20000119-00018, *et al.*, at Attachment B (Jun. 20, 2000).

³² See *In the Matter of EchoStar Satellite Operating Corporation*, 21 FCC Rcd 14780, at ¶¶ 6-8 (Int'l Bur. 2006).

³³ *In the Matter of Applications of Intelsat LLC*, 15 FCC Rcd 15460, at ¶ 110 n. 281 (2000); see also *In the Matter of EchoStar Satellite Operating Corporation*, 21 FCC Rcd 14780, at ¶ 7 n.21 (Int'l Bur. 2006).

interference. Accordingly, the Bureau should waive this rule to the extent required, consistent with its prior decisions.³⁴

Section 25.210(j). This section provides that space stations maintain an east-west station-keeping volume within 0.05° of their assigned orbital location, unless specifically authorized by the FCC to operate with a different longitudinal tolerance. SES Gibraltar requests a waiver to permit NSS-703 to operate with a station-keeping volume of +/- 0.10° as specified in the letter from the Radiocommunications Agency Netherlands.³⁵ Grant of the waiver will permit NSS-703 to conserve fuel and extend its useful life. The proposed extended station-keeping volume does not overlap with the station-keeping volume of any known operational satellites, and SES Gibraltar is not aware that any proposed satellite is expected to be launched or placed into orbit at the nominal 47° W.L. orbital location in the near term.³⁶ Moreover, the satellite is not expected to cause harmful interference to the adjacent satellites.³⁷ Under such circumstances, the Bureau has waived this requirement in the past, and it should do so here as well.³⁸

Section 25.211(a). This section provides that downlink analog video transmissions in the C-band shall be transmitted only on certain center frequencies with corresponding uplink

³⁴ See, e.g., *In the Matter of Applications of Intelsat LLC*, 15 FCC Rcd 15460, at ¶¶ 109-10 (2000); *New Skies 2002 PDR*, at ¶ 19; *DIRECTV Enterprises, LLC*, 21 FCC Rcd 8028, at ¶¶ 15-17 (Int'l Bur. 2006); *In the Matter of EchoStar Satellite Operating Corporation*, 21 FCC Rcd 14780, at ¶¶ 6-8 (Int'l Bur. 2006); Stamp Grant, File Nos. SAT-MOD-20070117-00012, SAT-AMD-20070508-00069 (granted November 14, 2008); Stamp Grant, File No. SAT-RPL-20090123-00007 (granted October 1, 2009).

³⁵ See [Appendix B](#).

³⁶ See Technical Appendix, at Section 18.

³⁷ See Technical Appendix, at Section 17.

³⁸ See, e.g., *In the Matter of SES Americom, Inc.*, 20 FCC Rcd 11542, at ¶¶ 13-14 (Int'l Bur. 2005) (granting waiver of 47 C.F.R. 25.210(j) for Satcom SN-4 because proposed extended station-keeping volume does not adversely affect other spacecraft and would conserve fuel and extend satellite operations); *In the Matter of XM Radio Inc.*, 20 FCC Rcd 1620, at ¶ 29 (Int'l Bur. 2005) (stating that the FCC will consider waivers of 47 C.F.R. 25.210(j) if an applicant can demonstrate that the proposed extended station-keeping operations does not create an overlap with the station-keeping volume of any operating or soon-to-be-operating satellite); see also *In the Matter of Applications of Intelsat LLC*, 15 FCC Rcd 15460, at ¶¶ 113 (2000) (granting waiver for extended station-keeping volume for INTELSAT 511 given the expected short duration of the satellite's operations).

frequencies 2225 MHz higher.³⁹ The analog TV center frequencies traditionally used by former INTELSAT satellites, like NSS-703, do not conform to this requirement. However, as noted above, SES Gibraltar does not intend to transmit analog video signals in the C-band frequencies, unless such operations are coordinated with adjacent satellites. Under these circumstances, the Bureau should grant a waiver of this rule, consistent with its prior decision.⁴⁰

Section 25.114(c)(4)(vii). This section requires space station applicants to provide "[p]redicted receiver and transmitter channel filter response characteristics" for the space station. SES Gibraltar believes that it has met the requirements of Section 25.114(c)(4)(vii) by providing the combined receiver and transmitter filter response characteristics.⁴¹ However, out of an abundance of caution, to the extent that the receiver channel filter response characteristics and the transmitter channel filter response characteristics must be provided separately, SES Gibraltar respectfully requests a waiver of Section 25.114(c)(4)(vii). A waiver, if necessary, is justified because disaggregated filter response characteristics are not available, and the aggregate characteristics, which SES Gibraltar has submitted herein, provide sufficient information for an assessment of the interference potential of the satellite.

Section 25.114(c)(10). This section requires space station applicants to provide estimated "reliability" numbers for the spacecraft. *See also* Schedule S, questions S15.i, S15j, and S15.k. The estimated reliability of a spacecraft is usually expressed as a probability that the spacecraft would survive until its projected design end-of-life. In this case, neither SES Gibraltar nor New Skies has the original reliability estimates for NSS-703, as it was launched in 1994 and

³⁹ 47 C.F.R. § 25.211(a).

⁴⁰ *See, e.g., Star One S.A.*, 19 FCC Rcd 16334, at ¶ 11 n. 34 (Int'l Bur. 2004) (granting petition for declaratory ruling for Star One C1 but prohibiting analog video transmissions until coordination is completed).

⁴¹ *See* Technical Appendix, at Section 5.5.

was transferred to New Skies prior to Intelsat's privatization in 2000. In any event, the NSS-703 spacecraft has exceeded all reliability projections in that it has survived past its design end-of-life. The satellite is currently in good working condition for a satellite of its age, and SES Gibraltar fully expects that the satellite will survive until its estimated fuel end-of-life in August 2014. For all of these reasons, SES Gibraltar respectfully requests a waiver of the requirement to provide reliability figures under Section 25.114(c)(10).

D. Other Considerations

There are no national security, law enforcement, foreign policy, or trade concerns applicable to this Petition. Indeed, as discussed above, the Bureau on numerous occasions has authorized placement of SES Gibraltar's Gibraltar-licensed satellites on the Permitted License.⁴² Nothing in this Petition warrants a different conclusion.⁴³

⁴² See *supra* note 16.

⁴³ Although not material to this Petition, the Commission previously determined that a Petition for Declaratory Ruling seeking access to NSS-703 at the 57° E.L. orbital location was premature because no earth station located in the U.S. could see the satellite at that location and no off-shore U.S.-licensed earth stations actually communicated with NSS-703. See *New Skies 2001 PDR*, at ¶ 8. None of the factors in that determination applies here. NSS-703 will be located at the nominal 47° W.L. orbital location and will be visible by earth stations located in the U.S.

IV. CONCLUSION

For the reasons stated above, SES Gibraltar respectfully requests that the Commission expeditiously grant the Petition to add the conventional C-band and conventional Ku-band payloads of the NSS-703 satellite at the 47.05° W.L. orbital location to the Permitted Space Station List.

Respectfully submitted,

SES SATELLITES (GIBRALTAR) LIMITED

By: /s/
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Dated: November 3, 2010

ENGINEERING CERTIFICATION

The undersigned hereby certifies to the Federal Communications Commission as follows:

1. I am the technically qualified person responsible for the engineering information contained in the foregoing petition;
2. I am familiar with Part 25 of the Commission's rules; and
3. I have either prepared or reviewed the engineering information contained in the foregoing petition, and it is complete and accurate to the best of my knowledge and belief.

Signed:

/s/

Krish Jonnalagada
Spectrum Development Manager

November 3, 2010

Date

Appendix A



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25th October 2010

To Whom It May Concern:

This letter confirms that the Gibraltar Regulatory Authority ("GRA") has granted SES Satellites (Gibraltar) Ltd ("SES-G") a Teleport Facility Licence ("TFL") under section 61 (1) of the Communications Act 2006, authorising SES-G to utilise the radio frequencies identified in the following ITU filing submitted by the United Kingdom on behalf of Gibraltar.

Filing Name	Orbital Location	Special Section No.
GIBSAT-8B	47° W.L.	CR/C/1590

SES-G has informed the GRA that it has arranged with its affiliate, New Skies Satellites B.V., to deploy the NSS-703 satellite to the nominal 47° W.L. orbital location. The NSS-703 is capable of operating on the following frequencies, which are encompassed within the above mentioned ITU filing:

C-band

3.7-4.2 GHz downlink
5.925-6.425 GHz uplink

Ku-band

10.95-11.2 GHz, 11.45-11.95 GHz, and 12.5-12.75 GHz downlink
14.0-14.5 GHz uplink

SES-G is authorised and licensed by the GRA to operate on the above subset of frequencies, and we understand that the NSS-703 satellite will be operating at the nominal 47° W.L. orbital location under an authorisation issued to New Skies Satellites B.V. pursuant to The Netherlands' Space Activities Act.


Paul Canessa
Chief Executive Officer



Appendix B



Radiocommunications Agency
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-

Enclosures

-

Date 29 October 2010
Subject NSS-703 satellite

To Whom It May Concern:

This letter confirms that New Skies Satellites B.V. is authorized under the Netherlands' Space Activities Act to operate the NSS-703 satellite at the nominal 47° W.L. orbital location (at 47.05° W.L. +/- 0.1 degrees east/west), where it will utilize radiofrequencies under the GIBSAT-8B ITU satellite network filing under a separate authority issued by the Gibraltar Regulatory Authority.


The satellite will be de-orbited at end-of-life in accordance with the authorization issued under the Space Activities Act to an altitude of 150 km above geostationary orbit.

If any further information is needed, please contact Mr. J.G. Kroon of the Netherlands Radio Communications Agency, Tel +31 50 5877 344 or E-mail: johan.kroon@at-ez.nl

I hope I have informed you to your contentment with this information.

Yours sincerely,

on behalf of
The Minister of Economic Affairs,
Agriculture and Innovation,


B.T. van Duijvenwoorde
Dep. head Spectrum management
Radiocommunications Agency Netherlands