

S2828 SAT-PPL-20110620-00112 IB2011002194
New Skies Satellites B.V.
SES-4

Approved by OMB
3060-0678

Date & Time Filed: Jun 20 2011 4:23:00:166PM
File Number: SAT-PPL-20110620-00112
Callsign/Satellite ID: S2828

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:
June 2011 market access for SES-4 at 22W

1-8. Legal Name of Applicant			
Name:	New Skies Satellites B.V.	Phone Number:	202-478-7183
DBA Name:		Fax Number:	202-478-7101
Street:	1129 20th St. NW Suite 1000	E-Mail:	
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -
Attention:	Ms Joslyn Read		

** CORRECTED **

File # SAT-PPL-20110620-00112

Call Sign S2828 Grant Date 3/15/12

(or other identifier) Term Dates Del
From 3/15/12 To: Conditions

Approved: Kathryn Medley



w/conditions

*Kathryn Medley
Chief, Satellite Engrs Br.*

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

Addition of SES-4 to Permitted Space Station List

The Petition for Declaratory Ruling filed by New Skies Satellites B.V. (New Skies), IBFS File No. SAT-PPL-20110620-00112, as supplemented, to add the SES-4 space station (Call Sign S2828) at the 22° W.L. orbital location to the Commission's Permitted Space Station List (Permitted List) is GRANTED.¹ SES-4 is licensed by the Administration of the Netherlands. In addition, New Skies' request is granted to use SES-4 to provide direct-to-home FSS in the conventional C-and Ku-bands within the United States and between the United States and European Union member states, Mexico, Brazil, the Netherlands Antilles, Guatemala, Honduras, Nicaragua, Bermuda, the British Virgin Islands, and the Cayman Islands. Accordingly, each U.S.-licensed earth station with "ALSAT" designated as a point of communication is authorized to access the SES-4 space station at 22° W.L. to provide Fixed-Satellite Service (FSS) using the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-Space), 11.70-12.20 GHz (space-to-Earth), and 14.00-14.50 GHz (Earth-to-Space) frequency bands, to, from, or within the United States, subject to the parameters set forth in the earth station license.

Communications between U.S.-licensed earth stations and the SES-4 space station must be in accordance with the terms, conditions, and technical specifications contained in New Skies' petition (as supplemented), the Federal Communications Commission's rules not waived herein, and the following conditions:

1. Communications between U.S.-licensed earth stations and the SES-4 space station shall comply with all existing and future space station coordination agreements reached between the Netherlands and other administrations.
2. New Skies' request to use U.S.-licensed earth stations for limited telecommand and tracking operations is granted. These operations must be conducted using the center frequencies of 4199.75 MHz (space-to-Earth), 14.496 GHz (Earth-to-space), and 14.499 GHz (Earth-to-space).
3. New Skies shall maintain its SES-4 space station with an east/west longitudinal station-keeping tolerance of ± 0.05 degrees of the 22.0° W.L. orbital location.
4. New Skies' request for a waiver of Section 25.210(a)(1) of the Commission's rules, 47 C.F.R. 25.210(a)(1), is granted, as conditioned. Section 25.210(a)(1) requires that C-band operations use orthogonal linear polarization. The SES-4 space station employs circular polarization. This waiver is based upon a finding that there is currently no potential for harmful interference from operations at this location with circular polarization, and that there would be an undue hardship to customers if they were required to reconfigure existing circularly-polarized antennas to operate with linear polarization. As a condition of this waiver, New Skies must accommodate future space station networks that comply with Section 25.210(a)(1). Further, New Skies must operate SES-4 pursuant to any existing or future coordination agreements for this location.

¹ The application was placed on Public Notice as accepted for filing on July 8, 2011. Policy Branch Information, Satellite Space Applications Accepted for Filing, *Public Notice*, Report No. SAT-00791.

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

5. New Skies' request for waiver of Section 25.210(a)(3) of the Commission's rules, 47 C.F.R. 25.210(a)(3), is granted, as conditioned. Section 25.210(a)(3) requires FSS space stations using the C-band to be capable of switching polarization sense upon ground command. The Commission requires polarity-switching capability for two reasons: (1) to provide U.S.-licensed space stations with the flexibility to operate at different orbital locations, and (2) to mitigate potential interference between adjacent fixed space station systems transmitting analog television signals. *See Telesat Canada, Order, 22 FCC Rcd 588 (para. 10) (Int'l Bur., Sat. Div. 2007)*. This waiver is based upon a finding that the ability to switch polarization is not currently necessary to protect other space stations at adjacent orbital locations from harmful interference, because the SES-4 space station's operations will be in compliance with existing coordination agreements. As a condition of this waiver, New Skies must accommodate future space station networks that comply with Section 25.210(a)(3). Further, New Skies must operate SES-4 pursuant to any existing or future coordination agreements for this location.

6. New Skies' request for a waiver of Section 25.210(i), of the Commission's rules, 47 C.F.R. § 25.210(i), for the SES-4 space station is granted, as conditioned. Section 25.210(i) requires FSS space station antennas to be designed to meet a cross-polarization isolation of 30 dB within the primary coverage area of the antenna.² The cross-polarization isolation of some of the antennas in SES-4's primary coverage area will be less than the minimum 30 dB required by the rules. For the C-band beams, the worst-case cross-polarization isolation performance for the SES-4 space station is 28 dB for the East Hemi beam and 26.3 dB for the West Hemi beam. For the Ku-band beams, the worst-case cross-polarization isolation is in the 27 dB range. This waiver is based upon a finding that this shortfall will not produce a significant increase in interference, except to the space station itself, and will not adversely affect any other operator. As a condition of the waiver, New Skies must accommodate future satellite networks serving the United States that are two-degree compliant and other licensed radiocommunication systems operating in accordance with the Commission's rules.

7. New Skies' request for waiver of Section 25.211(a) of the Commission's rules, 47 C.F.R. 25.211(a), is granted, as conditioned. Section 25.211(a) provides that downlink analog video transmissions in the C-band shall be transmitted only on a center frequency of $3700+20N$ MHz, where $N=1$ to 24, with corresponding uplink frequencies 2225 MHz higher. This waiver is based upon findings that New Skies designed the SES-4 replacement space station using the same analog TV center frequencies traditionally used by Intelsat space stations and legacy customers now using New Skies' space stations, that existing analog video operations at the 22.0° W.L. orbital location are fully coordinated and will not cause interference to adjacent space station operators, and that SES-4 will, over time, shift to digital transmissions that are not subject to this rule. We grant this waiver on the condition that New Skies must accommodate future space station networks serving the United States that are compliant with Section 25.210(a)(3). Further, New

² 47 C.F.R. § 25.210(i).

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

Skies must operate SES-4 pursuant to any existing or future coordination agreements for this location.

8. Operations of SES-4 to or from the United States shall comply with the power levels specified in Section 25.212 of the Commission's rules, 47 C.F.R. § 25.212, unless New Skies coordinates any operations using power levels exceeding the levels in Section 25.212 with all potentially affected adjacent satellites within 6 degrees orbital separation of the 22° W.L. orbital location. New Skies shall inform the Commission of the power levels it has coordinated. In addition, New Skies must inform all affected earth station operators that Section 25.220 of the Commission's rules, 47 C.F.R. § 25.220, applies to operations that exceed the power levels specified in Section 25.212. In no event shall the uplink power density level of SES-4's digital carriers exceed -38.7 dBW/Hz and the downlink EIRP density of such carriers exceed -32.8 dBW/Hz for the C-band. Further, in no event shall the uplink power density of SES-4's digital carrier exceed -38.2 dBW/Hz and the downlink EIRP density of such carriers exceed -21.3 dBW/Hz for the Ku-band.
9. SES-4 is a replacement for the NSS-7 space station (Call Sign S2463) at the 22.0° W.L. location in the in the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 11.7-12.2 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands. SES-4 must begin providing service to the United States at the 22.0° W.L. orbital location in the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 11.7-12.2 GHz (space-to-Earth), and 14.0-14.5 GHz frequency bands (Earth-to-space) before NSS-7 discontinues service at 22.0° W.L. Failure to meet this milestone shall render this authorization to access the U.S. market in the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 11.7-12.2 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands NULL and VOID, with no further action on the Commission's part.
10. This grant of market access will terminate in the event that the SES-4 space station is relocated from the 22.0° W.L. orbital location or ceases to operate. In either case, New Skies will be removed from the Permitted List. If New Skies wishes to provide service to the U.S. using another space station, it must file a new application to have that space station placed on the Permitted List.
11. New Skies is afforded 30 days from the date of release of this action to decline this grant of market access as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.
12. This action is taken pursuant to Sections 303(r), 308, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 303(r), 308, 309, 310, and Sections 0.261 and 25.137(c) of the Commission's rules, 47 C.F.R. §§ 0.261, 25.137(c), and is effective immediately. Petitions for reconsideration under Section 1.106 of the Commission's rules 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 public notice indicating that this ^{*collected*} action was taken.



File # SAT-PPL-20110620-00112
Call Sign S2828 Grant Date 3/15/12
(or other identifier)
From 3/15/12 Term Dates see
To: Condition
Approved: Kathleen Medley

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

Market Access Grant in Extended C- and Ku-bands

The Petition for Declaratory Ruling filed by New Skies Satellites, B.V. (New Skies), IBFS File No. SAT-PPL-20110620-00112, as supplemented, to access the U.S. market to provide Fixed-Satellite Service (FSS) via the SES-4 space station (Call Sign S2828), licensed by the Netherlands, at the 22° W.L. orbital location using the extended C- and Ku-bands is GRANTED. In addition, New Skies is authorized to use SES-4 to provide direct-to-home (DTH) FSS in the extended C- and Ku-bands between the United States and European Union member states, Mexico, Brazil, the Netherlands Antilles, Guatemala, Honduras, Nicaragua, Bermuda, the British Virgin Islands, and the Cayman Islands. Accordingly, New Skies is granted access to the U.S. market to provide FSS, including DTH, via the SES-4 space station, at the 22° W.L. orbital location using the extended C- and Ku-band frequencies of 3625-3700 MHz (space-to-Earth), 5850-5925 MHz (Earth-to-space), 10.95-11.20 GHz (space-to-Earth), 11.45-11.70 GHz (space-to-Earth), and 13.75-14.00 GHz (Earth-to-Space) between the United States and destinations outside the U.S.¹

Communications between U.S.-licensed earth stations and the SES-4 space station must be in accordance with the terms, conditions, and technical specifications set forth in New Skies' Petition for Declaratory Ruling, the Federal Communications Commission's rules not waived herein, and the following conditions:

1. Communications between U.S.-licensed earth stations and the SES-4 space station shall comply with all existing and future space station coordination agreements reached between the Netherlands and other administrations.
2. New Skies' request to use U.S.-licensed earth stations for limited telemetry operations is granted. These operations must be conducted using the center frequencies of 11.451 GHz (space-to-Earth), and 11.454 GHz (space-to-Earth).
3. New Skies shall maintain its SES-4 space station with an east/west longitudinal station-keeping tolerance of ± 0.05 degrees of the 22.0° W.L. orbital location.
4. Earth station operators in the United States seeking to access SES-4 in the 3625-3700 MHz (space-to-Earth), 5850-5925 MHz (Earth-to-space), 10.95-11.20 GHz (space-to-Earth), 11.45-11.70 GHz (space-to-Earth), and 13.75-14.00 GHz (Earth-to-Space) frequency bands may do so only after obtaining an earth station license that includes the SES-4 space station using the extended C- or Ku-band frequencies as an authorized point of communication, or after modifying an existing earth station license to add the SES-4 space station using the extended C- or Ku-band frequencies as an authorized point of communication.
5. Earth station operators in the United States seeking access to SES-4 for direct-to-home services may do so only after obtaining an earth station license that includes authority to

¹ The SES-4 space station is also capable of operating in the 12.50-12.75 GHz downlink band, but New Skies has stated that it will only operate SES-4 in this band in Region 1, and is not requesting authority to operate in this band in the United States. Accordingly, no authority to access the U.S. market in the 12.50-12.75 GHz (space-to-Earth) is granted.

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

provide direct-to-home services via the SES-4 space station, or after modifying an existing earth station license to include authority to provide direct-to-home services via the SES-4 space station.

6. New Skies' request for waivers of footnote NG104 of the United States Table of Frequency Allocations, 47 C.F.R. § 2.106 and footnote 2 of Section 25.202(a)(1) of the Commission's rules, 47 C.F.R. § 25.202(a), to enable it to use the center frequencies of 11.451 GHz (space-to-Earth), and 11.454 GHz (space-to-Earth) to conduct telemetry operations from SES-4 to earth stations in the U.S. are granted, as conditioned. We find that a waiver would not undermine the purpose of these rules. The waiver would permit no more than two U.S. earth stations to perform TT&C with SES-4.² Consequently, grant of the waiver should not place any significant restrictions on the deployment of Fixed Service (FS) in the 11.45-11.7 GHz band. All other operations in the 10.95-11.2 GHz and 11.45-11.7 GHz bands shall be limited to international-only operations.
7. New Skies' request for a waiver of Section 25.210(a)(1) of the Commission's rules, 47 C.F.R. 25.210(a)(1), is granted, as conditioned. Section 25.210(a)(1) requires that C-band operations use orthogonal linear polarization. The SES-4 space station employs circular polarization. This waiver is based upon a finding that there is currently no potential for harmful interference from operations at this location with circular polarization, and that there would be an undue hardship to customers if they were required to reconfigure existing circularly-polarized antennas to operate with linear polarization. As a condition of this waiver, New Skies must accommodate future space station networks that comply with Section 25.210(a)(1). Further, New Skies must operate SES-4 pursuant to any existing or future coordination agreements for this location.
8. New Skies' request for waiver of Section 25.210(a)(3) of the Commission's rules, 47 C.F.R. 25.210(a)(3), is granted, as conditioned. Section 25.210(a)(3) requires FSS space stations using the C-band to be capable of switching polarization sense upon ground command. The Commission requires polarity-switching capability for two reasons: (1) to provide U.S.-licensed space stations with the flexibility to operate at different orbital locations, and (2) to mitigate potential interference between adjacent fixed space station systems transmitting analog television signals. *See Telesat Canada, Order, 22 FCC Rcd 588 (para. 10) (Int'l Bur., Sat. Div. 2007)*. This waiver is based upon a finding that the ability to switch polarization is not currently necessary to protect other space stations at adjacent orbital locations from harmful interference, because the SES-4 space station's operations will be in compliance with existing coordination agreements. As a condition of this waiver, New Skies must accommodate future space station networks that comply with Section 25.210(a)(3). Further, New Skies must operate SES-4 pursuant to any existing or future coordination agreements for this location.
9. New Skies' request for a waiver of Section 25.210(i), of the Commission's rules, 47 C.F.R. § 25.210(i), for the SES-4 space station is granted, as conditioned. Section

² We note that New Skies' application indicates that it will conduct primary TT&C operations for SES-4 using earth stations that are located in Bristow, VA, and London, England.

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

25.210(i) requires FSS space station antennas to be designed to meet a cross-polarization isolation of 30 dB within the primary coverage area of the antenna.³ The cross-polarization isolation of some of the antennas in SES-4's primary coverage area will be less than the minimum 30 dB required by the rules. For the C-band beams, the worst-case cross-polarization isolation performance for the SES-4 space station is 28 dB for the East Hemi beam and 26.3 dB for the West Hemi beam. For the Ku-band beams, the worst-case cross-polarization isolation is in the 27 dB range. This waiver is based upon a finding that this shortfall will not produce a significant increase in interference, except to the space station itself, and will not adversely affect any other operator. As a condition of the waiver, New Skies must accommodate future satellite networks serving the United States that are two-degree compliant and other licensed radiocommunication systems operating in accordance with the Commission's rules.

10. New Skies' use of the 3625-3650 MHz (space-to-Earth) band is subject to footnote US245 of the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US245, which states that the 3600-3650 MHz use of the non-Federal fixed-satellite service is limited to international inter-continental systems and is subject to case-by-case electromagnetic compatibility analysis.
11. New Skies' use of the 3650-3700 MHz (space-to-Earth) band is subject to footnote NG185 of the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, NG185, which states that the 3650-3700 MHz use of the non-Federal fixed-satellite service is limited to international inter-continental systems.
12. New Skies' use of the 3650-3700 MHz (space-to-Earth) band is subject to footnote NG169 of the United States Table of Frequency Allocations, which states that after December 1, 2000, operations on a primary basis by the fixed-satellite service (space-to-Earth) in the band 3650-3700 MHz shall be limited to grandfathered earth stations. All other fixed-satellite service earth station operations in the band 3650-3700 MHz shall be on a secondary basis.
13. Use of the 5850-5925 MHz frequency band shall comply with the terms of Footnote US245 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US245, and Section 2.108 of the Commission's rules, 47 C.F.R. § 2.108, which limits the use of the 5850-5925 MHz band by the non-Federal fixed-satellite service to international, intercontinental satellite systems, subject to case-by-case electromagnetic compatibility analysis. New Skies shall not claim protection from radiolocation transmitting stations operating in accordance with footnote G2.⁴
14. New Skies' use of the 11.45-11.7 GHz band (space-to-Earth) is subject to footnote US211 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US211,

³ 47 C.F.R. § 25.210(i).

⁴ For technical information on these radiolocation systems, *see* NTIA Report 83-115, Spectrum Resource Assessment in the 5650-5925 MHz Band, and NTIA Report 00-373, Measured Occupancy of 5850-5925 MHz and Adjacent 5-GHz Spectrum in the United States at <http://www.its.blrdoc.gov/pub/pubs.php>.

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

which urges applicants for airborne or space station assignments to take all practicable steps to protect radio astronomy observations in the adjacent bands from harmful interference, consistent with footnote US74.

15. Operations of SES-4 to or from the United States shall comply with the power levels specified in Section 25.212 of the Commission's rules, 47 C.F.R. § 25.212, unless New Skies coordinates any operations using power levels exceeding the levels in Section 25.212 with all potentially affected adjacent satellites within 6 degrees orbital separation of the 22° W.L. orbital location. New Skies shall inform the Commission of the power levels it has coordinated. In addition, New Skies must inform all affected earth station operators that Section 25.220 of the Commission's rules, 47 C.F.R. § 25.220, applies to operations that exceed the power levels specified in Section 25.212. In no event shall the uplink power density level of SES-4's digital carriers exceed -38.7 dBW/Hz and the downlink EIRP density of such carriers exceed -32.8 dBW/Hz for the extended C-band. Further, in no event shall the uplink power density of SES-4's digital carrier exceed -48.9 dBW/Hz and the downlink EIRP density of such carriers exceed -21.3 dBW/Hz for the extended Ku-band.
16. Pursuant to footnote US337 of the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, any earth station in the United States and its possessions communicating with the SES-4 space station in the 13.75-14.0 GHz band (Earth-to-space) is required to coordinate through National Telecommunications and Information Administration's (NTIA's) Interdepartment Radio Advisory Committee's (IRAC's) Frequency Assignment Subcommittee (FAS) to minimize interference to the National Aeronautics and Space Administration Tracking and Data Relay Satellite System, including manned space flight.
17. Operations of any earth station in the United States communicating with the SES-4 space station in the 13.75-14.0 GHz band (Earth-to-space) shall comply with footnote US356 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US356, which specifies a mandatory minimum antenna diameter of 4.5 meters and a non-mandatory minimum and maximum equivalent isotropically radiated power (e.i.r.p.). Operations of any earth station located outside the United States and its possessions communicating with the SES-4 space station in the 13.75-14.0 GHz band (Earth-to-space) to provide service to the United States shall be consistent with footnote 5.502 to the ITU Radio Regulations, which allows a minimum antenna diameter of 1.2 meters for earth stations of a geostationary satellite orbit network and specifies mandatory power limits. In the 13.75-14.0 GHz band (Earth-to-space), receiving space stations in the fixed-satellite service shall not claim protection from radiolocation transmitting stations operating in accordance with the United States Table of Frequency Allocations.
18. Operations of any earth station in the United States and its possessions communicating with the SES-4 space station in the 13.77-13.78 GHz band (Earth-to-space) shall comply with footnote US357 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US357, which specifies that the e.i.r.p. density of emissions shall not exceed 71 dBW in any 6 MHz band for communications with a space station in geostationary-

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

satellite orbit.⁵ Operations of any earth station located outside the United States and its possessions communicating with the SES-4 space station in the 13.77-13.78 GHz band (Earth-to-space) to provide service to or from the United States shall comply with footnote 5.503 to the ITU Radio Regulations, which specifies a required maximum e.i.r.p. density of emissions (limit is dependent on antenna diameter) for communications with a space station in geostationary-satellite orbit.

19. Operators of earth stations accessing the SES-4 space station in the 13.75-14.0 GHz band are encouraged to cooperate voluntarily with the National Aeronautics and Space Administration (NASA) in order to facilitate continued operation of NASA's Tropical Rainfall Measuring Mission (TRMM) satellite.⁶
20. SES-4 is a replacement for the NSS-7 space station (Call Sign S2463) at the 22.0° W.L. location in the 3625-3700 MHz (space-to-Earth), 5850-5925 MHz (Earth-to-space), 10.95-11.20 GHz (space-to-Earth), and 11.45-11.70 GHz (space-to-Earth) frequency bands. SES-4 must begin providing service to the United States at the 22.0° W.L. orbital location in the 3625-3700 MHz (space-to-Earth), 5850-5925 MHz (Earth-to-space), 10.95-11.20 GHz (space-to-Earth), and 11.45-11.70 GHz frequency bands (space-to-Earth) before NSS-7 discontinues service at 22.0° W.L. Failure to meet this condition shall render this grant of market access in the the 3625-3700 MHz (space-to-Earth), 5850-5925 MHz (Earth-to-space), 10.95-11.20 GHz (space-to-Earth), and 11.45-11.70 GHz frequency bands NULL and VOID, with no further action on the Commission's part.
21. SES-4 is authorized to provide service to the United States in the 13.75-14.0 GHz band (Earth-to-space) that is not authorized on the NSS-7 space station. In its petition, New Skies submitted evidence that it had met the first three milestones for the 13.75-14.0 GHz frequency band and requested a reduction in the required bond, pursuant to Section 25.165 of the Commission's rules, 47 C.F.R. § 25.165. Based on the evidence provided, the Satellite Division finds that New Skies has satisfied the first three milestones (execute a non-contingent contract for construction, complete the critical design review, and commence construction) required for a geostationary satellite. As a result, the milestone and bond requirements are reduced. Accordingly, this grant of market access in the 13.75-14.0 GHz frequency band shall become NULL and VOID, with no further action on the Commission's part if New Skies does not meet the following conditions:

⁵ Footnote US357 places a restriction on FSS earth station operations in order to protect government operations in the band, including manned space flight. 47 C.F.R. § 2.106, US357.

⁶ NASA's TRMM satellite system radar in the 13.793-13.805 GHz band remains operational and is a highly valuable and visible United States asset with a broad range of international users. Accordingly, NTIA has requested cooperation from the Commission and non-Federal Government entities in providing assistance in reducing interference with the TRMM radar. Specifically, NTIA requests that FSS earth stations in the 13.793 - 13.805 GHz band located south of 39° N. and east of 110° W. operate with emission levels below -150 dBW/600 kHz at the TRMM space station receiver. Letter from Frederick R. Wentland, Acting Associate Administrator, Office of Spectrum Management, NTIA, to Don Abelson, Chief, International Bureau, FCC (February 28, 2002). Considering the secondary nature of the TRMM operation, NTIA's request is not a condition of this authorization. The Commission, however, urges all operators of earth stations accessing the AMC-4 space station in the 13.75 - 14.0 GHz band to cooperate voluntarily with NASA in order to facilitate continued operation of the TRMM satellite.

Attachment to Grant
IBFS File No. SAT-PPL-20110620-00112
Call Sign: S2828

- a. New Skies must file a bond with the Commission in the amount of \$750,000, pursuant to the procedures set forth in Public Notice, DA 03-2602, 18 FCC Rcd 16283 (2003), within 30 days of this grant (April 14, 2012); and
 - b. SES-4 must be launched and placed into operation in the 13.75-14.0 GHz (Earth-to-space) frequency band at the 22° W.L. orbital location within two years following the date of this authorization (March 15, 2014).
22. New Skies is afforded 30 days from the date of release of this action to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
23. This action is issued pursuant to Sections 303(r), 308, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 303(r), 308, 309, 310, and Sections 0.261 and 25.137(c) of the Commission's rules, 47 C.F.R. §§ 0.261, 25.137(c), and is effective immediately. Petitions for reconsideration under Section 1.106 of the Commission's rules 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 public notice indicating that this action was taken.

✱ ✱ CORRECTED ✱ ✱



w/conditions

File # Sat-PPL-20110620-00112

Call Sign S2828 Grant Date 3/15/12

(an other identifier)

Term Dates 3/15/12 To: See conditions

Approved: Kathryn Malley
*Kathryn Malley,
Chief Satellite Engrg Br.*

9-16. Name of Contact Representative

Name:	John K. Hane	Phone Number:	202-663-8000
Company:	Pillsbury Winthrop Shaw Pittman LLP	Fax Number:	202-663-8007
Street:	2300 N Street NW	E-Mail:	john.hane@pillsburylaw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20037 -
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)

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): Permitted Space Station List and Market Access Petition

17c. Fee Classification BNY – Space Station (Geostationary)

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

<p>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:</p> <p><input checked="" type="checkbox"/> a. Fixed Satellite <input type="checkbox"/> b. Mobile Satellite <input type="checkbox"/> c. Radiodetermination Satellite <input type="checkbox"/> d. Earth Exploration Satellite <input checked="" type="checkbox"/> e. Direct to Home Fixed Satellite <input type="checkbox"/> f. Digital Audio Radio Service <input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one. <input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply. Not Applicable</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities: <input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s). <input checked="" type="checkbox"/> a. C-Band (4/6 GHz) <input checked="" type="checkbox"/> b. Ku-Band (12/14 GHz) <input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.) Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)</p>	

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 checked="" type="radio"/> Yes <input 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. Exhibit B	

BASIC QUALIFICATIONS

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.

Yes No

Technical Appendix

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.

Yes No

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.

Yes No

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

Yes No

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.

Yes No

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. Exhibit C

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. Yes No

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. Yes No

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? The Netherlands

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.)

Petitioner seeks U.S. market access for SES-4.

Narrative

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.

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 0.25 – 24 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD–PERM, Paperwork Reduction Project (3060–0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060–0678.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104–13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.