

S2873 SAT-PPL-20120823-00140 IB2012001982  
Satelites Mexicanos S. A. de C. V.  
SATMEX 8



File # SAT-PPL-20120823-00140

Call Sign S2873 Grant Date 12/06/12

(or other identifier)

Term Dates

From \_\_\_\_\_ To: \_\_\_\_\_

Approved: Stephen J. Duall

Stephen J. Duall  
Chief, Satellite Policy Branch

Approved by OMB  
3060-0678

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\*with conditions

APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC 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 add Satmex 8 to Permitted List

1-8. Legal Name of Applicant			
Name:	Satelites Mexicanos S. A. de C. V.	Phone Number:	1152-55-2629-5828
DBA Name:		Fax Number:	1152-55-2629-5865
Street:	Av. Paseo de la Reforma 222, Piso 20 y 21, Col. Juarez	E-Mail:	mgallego@satmex.com
City:	Mexico City	State:	
Country:	Mexico	Zipcode:	-
Attention:	Ms Maria A Gallego		

**Petition of Satélites Mexicanos, S.A. de C.V.**  
**IBFS File No. SAT-PPL-20120823-00140**  
**Call Sign S2871**

The petition of Satélites Mexicanos, S.A. de C.V. (Satmex), IBFS File No. SAT-PPL-20120823-00140, to add the SATMEX 8 space station (Call Sign S2871) to the Commission's Permitted Space Station List (Permitted List) is GRANTED.<sup>1</sup> The operations of SATMEX 8 addressed by this grant are licensed by the Administration of Mexico. Satmex is granted U.S. market access to use SATMEX 8 to provide Fixed Satellite Service (FSS), including Direct-to-Home Service (DTH), from the 116.8° W.L. orbital location. Each U.S.-licensed earth station with "ALSAT" designated as a point of communication is authorized to access the SATMEX 8 space station at 116.8° W.L. to provide FSS and FSS DTH to, from, or within the United States 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. Communications between U.S.-licensed earth stations and the SATMEX 8 space station must be in accordance with the terms, conditions, and technical specifications contained in Satmex's petition and the Federal Communications Commission's rules not waived herein, and are subject to the following conditions:

1. SATMEX 8 is not authorized to provide any Direct Broadcast Satellite (DBS) or Digital Audio Service (DARS) to, from, or within the United States.
2. Communications between U.S.-licensed earth stations and the SATMEX 8 space station must be in compliance with all existing and future space station coordination agreements reached between Mexico and other Administrations.
3. SATMEX 8 must be maintained with an east/west longitudinal station-keeping tolerance of  $\pm 0.05$  degrees of at the 116.8° W.L. orbital location.
4. The request to waive 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, ¶ 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 SATMEX 8 space station's operations will be in compliance with existing coordination agreements. In addition, communications between U.S.-licensed earth stations and SATMEX 8 are conditioned on Satmex accommodating future space station networks that comply with Section 25.210(a)(3) and on Satmex operating SATMEX 8 pursuant to any existing or future coordination agreements for this location.
5. This grant of market access will terminate in the event that the SATMEX 8 space station is relocated from the 116.8° W.L. orbital location or ceases to operate. In either case,


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<sup>1</sup> The petition was placed on Public Notice as accepted for filing on Sep. 21, 2012. Policy Branch Information, Satellite Space Applications Accepted for Filing, *Public Notice*, Report No. SAT-00899 (Int'l Bur., rel. Sep. 21, 2012).

**Petition of Satélites Mexicanos, S.A. de C.V.**  
**IBFS File No. SAT-PPL-20120823-00140**  
**Call Sign S2871**

SATMEX 8 will be removed from the Permitted List. If Satmex seeks 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.

6. SATMEX 8 is a replacement for the SATMEX 5 space station at the 116.8° 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 (Earth-to-space) frequency bands. SATMEX 8 must begin providing service to the United States at the 116.8° W.L. orbital location in these frequency bands before SATMEX 5 discontinues service at 116.8° 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.
7. Satmex is afforded thirty days from the date of this action to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
8. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 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 date of the public notice indicating that this action was taken.

 <b>GRANTED*</b> International Bureau *with conditions	<b>File #</b> <u>SAT-PPL-20120823-00140</u>
	<b>Call Sign</b> <u>S2873</u> <b>Grant Date</b> <u>12/06/12</u> (or other identifier)
	<b>Term Dates</b> <b>From</b> _____ <b>To:</b> _____
	<b>Approved:</b> <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

9-16. Name of Contact Representative			
Name:	Carlos M. Nalda	Phone Number:	202-626-6659
Company:	Squire Sanders (US) LLP	Fax Number:	
Street:	1200 19th Street NW, Suite 300	E-Mail:	Carlos.Nalda@squiresanders.com
City:	Washington	State:	
Country:	USA	Zipcode:	20036 -
Attention:		Relationship:	

**CLASSIFICATION OF FILING**

<p>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.</p> <p>a.</p> <p>(N/A) a1. Earth Station</p> <p><input checked="" type="radio"/> a2. Space Station</p>	<p>b.</p> <p><input checked="" type="radio"/> b1. Application for License of New Station</p> <p>(N/A) b2. Application for Registration of New Domestic Receive-Only Station</p> <p>(N/A) b3. Amendment to a Pending Application</p> <p>(N/A) b4. Modification of License or Registration</p> <p>(N/A) b5. Assignment of License or Registration</p> <p>(N/A) b6. Transfer of Control of License or Registration</p> <p>(N/A) b7. Notification of Minor Modification</p> <p>(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</p> <p><input type="radio"/> b10. Replacement Satellite Application - no new frequency bands</p> <p><input type="radio"/> b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)</p> <p><input checked="" type="radio"/> b12. Petition for Declaratory Ruling to be Added to the Permitted List</p> <p>(N/A) b13. Other (Please specify)</p>
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<p>17c. Is a fee submitted with this application?</p> <p><input type="radio"/> If Yes, complete and attach FCC Form 159.</p> <p>If No, indicate reason for fee exemption (see 47 C.F.R.Section 1.1114).</p> <p><input type="radio"/> Governmental Entity    <input type="radio"/> Noncommercial educational licensee</p> <p><input checked="" type="radio"/> Other(please explain): Non-feeable application</p>				
<p>17c. Fee Classification</p>				
<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station: Not Applicable</p>				
<p>19. If this filing is an amendment to a pending application enter:</p> <table border="0"> <tr> <td>(a) Date pending application was filed:</td> <td>(b) File number of pending application:</td> </tr> <tr> <td>Not Applicable</td> <td>Not Applicable</td> </tr> </table>	(a) Date pending application was filed:	(b) File number of pending application:	Not Applicable	Not Applicable
(a) Date pending application was filed:	(b) File number of pending application:			
Not Applicable	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:      Frequency Upper: (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.

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 checked="" type="radio"/> Yes <input 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.	Question 34 Response

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

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.

Question 40 Response

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? Mexico

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.)

Petition for Declaratory Ruling to add the Satmex 8 satellite to the Permitted Space Station List.

Narrative Statement

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.)	
<input type="radio"/> Individual <input type="radio"/> Unincorporated Association <input type="radio"/> Partnership <input checked="" type="radio"/> Corporation <input type="radio"/> Governmental Entity <input type="radio"/> Other (please specify)	
45. Name of Person Signing Veronica Gutierrez Zamora Garcia	46. Title of Person Signing General Counsel
47. Please supply any need attachments. <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span>1:</span> <span>2:</span> <span>3:</span> </div>	
<p>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).</p>	

Completed Schedule S

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