


S2886 SAT-PPL-20121018-00183 IB2012002432
 Hispamar Satellites, S.A.
 AMAZONAS-3



GRANTED*
 International Bureau
 *with conditions

File # SAT-PPL-20121018-00183
 Call Sign S2886 Grant Date 03/14/13
 (or other identifier) Term Dates
 From 03/14/13 To: _____
 Approved: Stephen J. Duall
 Stephen J. Duall
 Chief, Satellite Policy Branch

Approved by OMB
 3060-0678

Date & Time Filed: Oct 18 2012 9:34:27:210AM
 File Number: SAT-PPL-20121018-00183
 Callsign/Satellite ID: S2886

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:
 Amazonas-3 Petition

1-8. Legal Name of Applicant			
Name:	Jansky-barmat telecommunications inc.	Phone Number:	202-467-6400
DBA Name:		Fax Number:	202-296-6892
Street:	7703 Arrowood Ct.	E-Mail:	don@jansky-barmat.com
City:	Bethesda	State:	MD
Country:	USA	Zipcode:	20817 -
Attention:	Mr Donald M Jansky		

Hisparmar Satélites, S.A.
IBFS File SAT-PPL-20121018-00183
Call Sign S2886

The petition of Hisparmar Satélites, S.A. (Hisparmar), IBFS File No. SAT-PPL-20121018-00183, to add the Amazonas-3 space station (Call Sign S2886) to the Commission's Permitted Space Station List is GRANTED. The operations of Amazonas-3 addressed by this grant are licensed by the Administration of Brazil. Hisparmar is granted U.S. market access to use Amazonas-3 to provide Fixed-Satellite Service (FSS), including Direct-to-Home (DTH) service, from the 61° W.L. orbital location. Each U.S. earth station with "ALSAT" designated as a point of communication is authorized to access the Amazonas-3 space station at 61° 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), 14.0-14.5 GHz (Earth-to-space) frequency bands.¹ Communications between U.S.-licensed earth station's and the Amazonas-3 space station must be in accordance with the terms, conditions, and technical specifications contained in Hisparmar's petition and the Federal Communications Commission's rules not waived herein, and are subject to the following conditions:

1. Communications between U.S.-licensed earth stations and the Amazonas-3 space station must be in compliance with all existing and future space station coordination agreements reached between Brazil and other Administrations.
2. Amazonas-3 must be maintained with an east/west longitudinal station-keeping tolerance of ± 0.05 degrees at the 61° W.L. orbital location.
3. Hisparmar's request for partial waiver of Section 25.210(a) of the Commission's rules is GRANTED. Section 25.210 (a) requires C-band space stations using orthogonal linear polarization 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). Amazonas-3 will use both senses of orthogonal polarization for the C-band and cannot be commanded to reverse polarization from the ground. This partial waiver is based on the finding that Amazonas-3 will be employing full frequency reuse through the use of orthogonal polarizations within the same beam, fulfilling the requirements of Section 25.210(f). The ability to switch polarization is not necessary in this instance to protect other space stations at adjacent orbital locations from interference because Amazonas-3's operations will be in compliance with existing coordination agreements. This waiver is conditioned on Hisparmar accommodating future space station networks that comply with Section 25.210(a) and on Amazonas-3 operating pursuant to any existing or future coordination agreements for this location.
4. Amazonas-3 is not authorized to provide any Direct Broadcast Satellite (DBS) or Digital Audio Service (DARS) to, from, or within the United States.


¹ Hisparmar's petition also included a request to add Amazonas-3's Ka-band frequencies to the Ka-band Permitted List. This portion of the petition was dismissed, without prejudice to re-filing, on March 14, 2013. Letter to Donald M. Jansky, Counsel for Hisparmar Satélites, S.A., from Fern J. Jarmulnek, Acting Chief, Satellite Division, International Bureau (March 14, 2013).

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5. This grant of market access will terminate in the event the Amazonas-3 space station is relocated from the 61° W.L. orbital location or ceases to operate. In either case, Amazonas-3 will be removed from the Permitted Space Station List. If Hispamar seeks to provide service to the United States using another space station or seeks to operate Amazonas-3 from another location, it must file a new petition to have the station placed on the Permitted List.

6. Hispamar is afforded thirty days from the date of this action to decline this grant as conditioned. Failure to respond within this period will constitute a formal acceptance of the grant as conditioned.

7. This grant 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 public notice indicating this action was taken.

 GRANTED* International Bureau *with conditions	File # <u>SAT-PPL-20121018-00183</u>
	Call Sign <u>S2886</u> Grant Date <u>03/14/13</u> (or other identifier)
	Term Dates From <u>03/14/13</u> To: _____
	Approved: <u><i>Stephen J. Duall</i></u> Stephen J. Duall Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	Jansky-barmat telecommunications inc.	Phone Number:	202-467-6400
Company:	Jansky-Barmat Telecommunications Inc.	Fax Number:	202-296-6892
Street:	7703 Arrowood Court	E-Mail:	don@jansky-barmat.com
City:	Bethesda	State:	MD
Country:	USA	Zipcode:	20817 -2821
Attention:	Don Jansky	Relationship:	Same

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): Near to launch

17c. Fee Classification

18. If this filing is in reference to an existing station, enter:

(a) Call sign of station:
Not Applicable

19. If this filing is an amendment to a pending application enter:

(a) Date pending application was filed:

Not Applicable

(b) File number of pending application:

Not Applicable

TYPE OF SERVICE

<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 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
HIS4-EXHIBIT A

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.	HIS4 EXHIBIT B

BASIC QUALIFICATIONS

<p>35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No HIS4 PETITHispamar</p>
<p>36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No HIS4 EXHIBIT C</p>
<p>39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.

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? Brazil

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.)

The purpose of the application is to request addition of the AMAZONAS-3 satellite network at 61W.L. to the Permitted Space Station List to allow all U.S. C-band, Ku-band, and Ka-band earth stations to uplink to the satellite in the conventional C-band and Ku band and the Ka band frequencies. Services to be provided are domestic and international operating

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

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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.

43. Description. (Summarize the nature of the application and the services to be provided).

The purpose of the application is to request addition of the AMAZONAS-3 satellite network at 61W. L. to the Permitted Space Station List to allow all U.S. C-band, Ku-band, and Ka-band earth stations to uplink to the satellite in the conventional C-band and Ku band and the Ka band frequencies. Services to be provided are domestic and international operating in FSS frequency bands, including Direct-to-Home service (DTH) in Ku band.