

S2932 SAT-PPL-20141003-00106 IB2014001991  
Inmarsat plc  
Inmarsat-4 F3



File # SAT-PPL-20141003-00106

Call Sign S2932 Grant Date 01/08/15  
(or other identifier)

Term Dates see  
From 01/08/15 To: conditions

Approved by OMB  
3060-0678

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Approved: Stephen J. Duall  
Stephen J. Duall  
Chief, Satellite Policy Branch

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 Modify ISAT List for I4F3 at 98.0 WL

1-8. Legal Name of Applicant			
Name:	Inmarsat plc	Phone Number:	202-248-5158
DBA Name:		Fax Number:	
Street:	99 City Road	E-Mail:	chris.murphy@inmarsat.com
City:	London	State:	
Country:	United Kingdom	Zipcode:	-
Attention:	Chris Murphy		

**Attachment to Grant  
Inmarsat plc  
IBFS File No. SAT-PPL-20141003-00106  
Call Sign S2932**

The petition of Inmarsat plc (Inmarsat), IBFS File No. SAT-PPL-20141003-00106, pursuant to Section 25.137 of the Commission's rules, 47 C.F.R. § 25.137, to modify the "ISAT List" to include the Inmarsat 4F3 satellite at the 98° W.L. orbital location IS GRANTED.<sup>1</sup> Accordingly, any U.S.-licensed earth station with ISAT listed as a point of communication is permitted to access the Inmarsat 4F3 satellite at the 98° W.L. orbital location in the 1525-1559 MHz (space-to-Earth) and 1626.5-1660.5 MHz (Earth-to-space) frequency bands without additional authorization from the Commission, provided that the earth station complies with the Commission's technical requirements and operates under the conditions on its license.<sup>2</sup> The grant of this petition is subject to the specifications set forth in Inmarsat's petition, the Commission's rules, and the following conditions:

1. Authority IS GRANTED, pursuant to Section 25.210(j) of the Commission's rules, 47 C.F.R. § 25.210(j), to permit operations of earth stations with the Inmarsat 4F3 satellite maintained at ±0.10 degree of the 98° W.L. orbital location, subject to the condition that this waiver shall terminate in the event that a satellite is launched into a location such that its stationkeeping volume would overlap the Inmarsat 4F3 satellite's ±0.10 degree stationkeeping volume, but would not overlap the Inmarsat 4F3 satellite's ±0.05 degree stationkeeping volume, unless Inmarsat has successfully coordinated its physical operations with those of the other spacecraft.
2. Operations via the Inmarsat 4F3 satellite using a north-south inclination of as much as three degrees ARE GRANTED, conditioned on operations of the Inmarsat 4F3 satellite complying with the inclined orbit requirements set forth in Sections 25.280(b)(1)-(3) of the Commission's rules, 47 C.F.R. § 25.280(b)(1)-(3).
3. Licensees must comply with the terms of any L-band operator-to-operator coordination agreement. In the absence of a continuing L-band operator-to-operator coordination agreement, operations of mobile earth stations in the 1525-1559 MHz and 1626.5-1660.5 MHz bands will be on a non-harmful interference basis until a future operator-to-operator agreement is concluded. In this event, each licensee must notify the other operators in these frequency bands that it will be operating on a non-harmful interference basis. Each licensee must notify its customers that its operations are on a non-harmful interference basis.
4. This grant is subject to compliance with the provisions of the Agreement between Inmarsat on the one hand and the U.S. Department of Justice and the Department of Homeland Security on the other, dated September 23, 2008. A copy of the Agreement is publicly available in DA 09-117, Appendix B.

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<sup>1</sup> The Inmarsat 4F3 satellite was previously placed on the ISAT List at the 97.65° W.L. orbital location. Inmarsat, Inc., IBFS File No. SES-PDR-20080303-00367 (granting request to add the Inmarsat 4F3 satellite to the ISAT List, Dec. 17, 2008); *see also* Inmarsat Hawaii Inc., IBFS File Nos. SES-MFS-20080228-00207, SES-AFS-20080410-00448, and SES-AFS-20080915-01200 (granting U.S. market access via the Inmarsat 4F3 satellite in additional frequency bands, Dec. 18, 2008). A technical description of the Inmarsat 4F3 satellite may be found in IBFS File No. SES-MFS-20080228-00207, Exhibit D.

<sup>2</sup> The 1544-1545 MHz and 1645.5-1646.5 MHz frequency bands are reserved for safety and distress communications pursuant to footnotes 5.356 and 5.375 of the Table of Frequency Allocations. 47 C.F.R. § 2.106, footnotes 5.356, 5.375.

5. This grant of market access will terminate in the event that the Inmarsat 4F3 satellite is relocated from the 98° W.L. orbital location or ceases to operate. In either case, the Inmarsat 4F3 satellite will be removed from the ISAT List. If Inmarsat wishes to provide service to the United States using another satellite, it must file a new application to have that satellite placed on the ISAT List.

6. Inmarsat is afforded 30 days from the date of the release of this action to decline this grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.

7. This action is taken pursuant to 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	File # <u>SAT-PPL-20141003-00106</u>
	Call Sign <u>S2932</u> Grant Date <u>01/08/15</u> (or other identifier)
	From <u>01/08/15</u> Term Dates <u>see</u> To: <u>conditions</u>
	Approved: <u><i>Stephen J. Duall</i></u> Stephen J. Duall Chief, Satellite Policy Branch

9-16. Name of Contact Representative			
Name:	John P. Janka	Phone Number:	202-637-2200
Company:	Latham & Watkins LLP	Fax Number:	202-637-2201
Street:	555 Eleventh Street, NW Suite 1000	E-Mail:	john.janka@lw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20004 -1304
Attention:	John P. Janka	Relationship:	Legal Counsel

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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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): Non-Fee Filing – Petition for Declaratory Ruling

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 type="checkbox"/> a. Fixed Satellite</p> <p><input checked="" type="checkbox"/> b. Mobile Satellite</p> <p><input type="checkbox"/> c. Radiodetermination Satellite</p> <p><input type="checkbox"/> d. Earth Exploration Satellite</p> <p><input type="checkbox"/> e. Direct to Home Fixed Satellite</p> <p><input type="checkbox"/> f. Digital Audio Radio Service</p> <p><input type="checkbox"/> g. Other (please specify)</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p><input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply.</p> <p>Not Applicable</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p><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).</p> <p><input type="checkbox"/> a. C-Band (4/6 GHz) <input type="checkbox"/> b. Ku-Band (12/14 GHz)</p> <p><input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.)</p> <p>Frequency Lower: 1525      Frequency Upper: 1660.5      (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 type="radio"/> No <input checked="" type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" 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 type="radio"/> Yes <input type="radio"/> No <input checked="" 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 type="radio"/> Yes <input type="radio"/> No <input checked="" 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.	

**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  
Exhibit B

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.

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? United Kingdom

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.)

See attached Petition for Declaratory Ruling

Petition

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.**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
 )  
Inmarsat plc Petition for Declaratory Ruling to )  
Modify ISAT List with Respect to Inmarsat-4 ) SAT-PDR- \_\_\_\_\_  
F3 at 98° W.L. )  
 )

**PETITION FOR DECLARATORY RULING**

Pursuant to Section 25.137(d) of the Commission’s rules, 47 C.F.R. § 25.137(d) and the Commission’s order establishing the ISAT List,<sup>1</sup> Inmarsat plc (“Inmarsat”) seeks to modify the ISAT List to specify the location of the Inmarsat-4 F3 satellite (“I4F3”) to be 98.0° W.L. I4F3 currently is identified in the ISAT List as being located at the nominal 98° W.L. location, with an offset to 97.65° W.L. to avoid overlapping the station-keeping volume of the Inmarsat-2 F2 spacecraft that was previously located at 98.0° W.L.<sup>2</sup>

I4F3 originally was placed on the ISAT List to reflect the grant of authority for earth stations KA25 and E080059 to communicate with that spacecraft. Inmarsat currently has applications pending to modify the authorizations for those earth stations to reflect the operation of I4F3 at 98° W.L. with no station-keeping offset, as well as related requests for STA. Inmarsat respectfully requests that the ISAT List maintained by the Commission with respect to Inmarsat’s L band satellite operations (1525-1559 MHz, 1626.5-1660.5 MHz) be updated upon the grant of those earth station applications. Grant of this Petition for Declaratory Ruling would

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<sup>1</sup> See 47 C.F.R. § 25.137(d); *Inmarsat, Inc. Request to Streamline Licensing of L-band Mobile-Satellite Service Terminals Using Inmarsat Satellites as Points of Communication*, Order, 23 FCC Rcd 15268 (2008).

<sup>2</sup> See IBFS File No. SES-AFS-20080915-01200.

serve the public interest by conforming the ISAT list to the earth station authorizations that underlie that list.

Respectfully submitted,

\_\_\_\_\_  
/s/

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October 3, 2014

**Inmarsat Hawaii Inc.**  
**FCC Form 312**  
**Exhibit B**  
**Response to Question 36**

Inmarsat Hawaii Inc. submits this response to Question 36 of FCC Form 312 out of an abundance of caution. In 2005, the Commission dismissed a Petition for Declaratory Ruling (the "Petition") filed by Inmarsat Hawaii Inc.'s affiliate, Inmarsat Global Limited ("Inmarsat Global"), seeking United States market access to provide MSS in the 2 GHz band. Subsequent to Inmarsat Global's filing, the Commission assigned all 2 GHz spectrum currently allocated for MSS in the United States to two other satellite operators, and thus dismissed Inmarsat Global's Petition.<sup>1</sup>

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<sup>1</sup> *Use of Returned Spectrum in the 2 GHz Mobile Satellite Service Frequency Bands*, 20 FCC Rcd 19696 (2005); *Inmarsat Global Limited, Petition for Declaratory Ruling to Provide Mobile Satellite Service to the United States Using the 2 GHz and Extended Ku-Bands*, 20 FCC Rcd 19409 (2005).