

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

In the Matter of)
)
SES SATELLITES (GIBRALTAR) LIMITED) File No. SAT-PPL-20160126-00007
) Call Sign S2951
Request for U.S. Market Access for SES-15)

RESPONSE OF SATELLITES (GIBRALTAR) LIMITED

SES Satellites (Gibraltar) Ltd. (“SES Gibraltar,” doing business as “SES”) hereby responds to the comments filed by Intelsat License LLC (“Intelsat”) and JSAT International, Inc. (“JSAT”)¹ on the above-captioned request for authority to serve the U.S. market using the SES-15 spacecraft at 129.15° W.L. (the “SES-15 Petition”). At that location, SES-15 will replace the Ku-band capacity currently being provided using the U.S.-licensed AMC-1 satellite and will provide expanded service using additional frequency bands.

Significantly, Intelsat and JSAT, which jointly operate the Japanese-licensed Horizons I Ku-band payload at the adjacent 127° W.L. position, do not oppose the SES-15 Petition. They ask, however, that the Commission include in any grant a coordination condition and suggest language derived from the Commission’s authorization for operations of AMC-1 at 129.15° W.L. Specifically, Intelsat and JSAT suggest that the following condition:

SES Gibraltar must operate SES-15 at the 129.15° W.L. orbital location in accordance with any existing and future coordination agreements for this location.²

¹ Comments of Intelsat License LLC and JSAT International, Inc, File No. SAT-PPL-20160126-00007, dated July 11, 2016 (the “Intelsat/JSAT Comments”).

² *Id.* at 2.

Intelsat and JSAT argue that such a condition would be beneficial because it would ensure that SES-15 operations would not interfere with those of Horizons I outside the United States.³

SES Gibraltar is committed to complying with applicable coordination agreements and does not object to having appropriate language reflecting that obligation included in any grant of the SES-15 Petition. However, the specific language proposed by Intelsat and JSAT comes from a grant relating to the U.S.-licensed AMC-1 satellite and does not conform to the condition the Commission typically imposes when it grants U.S. market access for a foreign-licensed satellite.

In market access grants, the standard coordination language focuses on operations with U.S.-licensed earth stations, consistent with the limited role of the Commission with respect to foreign-licensed spacecraft. For example, in last month's grant of market access for the SES-10 satellite, the Commission required that:

Communications between U.S.-licensed earth stations and the SES-10 space station must comply with all existing and future space station coordination agreements reached between Colombia and other administrations.⁴

The Commission takes a similar approach in applying its two-degree spacing rules to foreign-licensed satellites, requiring the operator to coordinate any exceedances of the two-degree baseline limits with other satellites within six degrees that are either U.S.-licensed or

³ *Id.* at 3.

⁴ *New Skies Satellites B.V.*, File No. SAT-PPL-20160117-00005, Call Sign S2950, grant-stamped June 23, 2016, corrected June 30, 2016 (“SES-10 Grant”), paragraph 1. Other market access grants contain substantially similar language. *See, e.g., Satélites Mexicanos, S.A. de C.V.*, File No. SAT-PPL-20150227-00008, Call Sign S2938, grant-stamped June 11, 2015, paragraph (requiring communications between U.S.-licensed earth stations and the Eutelsat 115 WB satellite to comply with existing and future coordination agreements between Mexico and other administrations); *Hispamar Satélites, S.A.*, File No. SAT-MPL-20130319-00049, Call Sign S2886, grant-stamped Aug. 1, 2013, paragraph 1 (requiring communications between U.S.-licensed earth stations and the Amazonas-3 satellite to comply with existing and future coordination agreements between Brazil and other administrations).

foreign-licensed and communicating with U.S.-licensed earth stations.⁵ In other words, the Commission does not purport to regulate matters arising outside the United States between two foreign-licensed satellites not communicating with U.S.-licensed earth stations. The Commission should take the same approach here.

Again, SES Gibraltar is committed to complying with any existing or future coordination agreement governing operations of SES-15 and would accept the condition suggested by Intelsat and JSAT if the Commission chooses to impose it. However, SES Gibraltar suggests that instead the Commission employ its standard coordination condition for U.S. market access authorizations, specifying that:

Communications between U.S.-licensed earth stations and the SES-15 space station must comply with all existing and future space station coordination agreements reached between the United Kingdom and other administrations.

Because the SES-15 Petition is unopposed and the satellite is scheduled for launch in the first half of 2015, SES Gibraltar requests expedited grant of U.S. market access for SES-15.

Respectfully submitted,

SES SATELLITES (GIBRALTAR) LTD.

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⁵ See, e.g., SES-10 Grant, paragraph 14.

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2016, a true copy of the foregoing
“Response of SES Satellites (Gibraltar) Limited” is being sent by first class, U.S. Mail, postage
paid, to the following:

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