

S2956 SAT-PPL-20160304-00024 IB2016000589
Empresa Argentina de Soluciones Satelitales S.A.
ARSAT-2



*with conditions

File # SAT-PPL-20160304-00024

Call Sign S2956 Grant Date 07/21/16
(or other identifier)

From 07/21/16 To: see conditions
Term Dates

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

Approved by OMB
3060-0678

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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:
Application to add Arsat-2 to the Permitted Space Station List

1-8. Legal Name of Applicant			
Name:	Empresa Argentina de Soluciones Satelitales S.A.	Phone Number:	5411 5811 2600
DBA Name:		Fax Number:	
Street:	Avenida del Libertador 498 --- Floor 22	E-Mail:	cdelvalle@arsat.com.ar
City:	C1001ABR, Ciudad de Buenos Aires	State:	
Country:	Argentina	Zipcode:	-
Attention:	Mr Carlos M del Valle Campos		

ATTACHMENT TO GRANT
 Empresa Argentina de Soluciones Satelitales S.A.
 IBFS File No. SAT-PPL-20160304-00024

IBFS File No(s):	SAT-PPL-20160304-00024	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	Empresa Argentina de Soluciones Satelitales S.A.	
Call Sign:	S2956	
Satellite Name:	ARSAT-2	
Orbital Location: (required station-keeping tolerance)	81.0° W.L. (+/- 0.05 degrees)	
Administration:	Argentina	
Nature of Service:	Fixed-Satellite Service	
Scope of Grant:	Grant of U.S. Market Access, including the addition of ARSAT-2 to the Permitted Space Station List in order to provide FSS to the United States. Each earth station with “ALSAT” designated as a point of communication is granted authority to provide FSS to, from, or within the United States by accessing the ARSAT-2 satellite.	
Service Area(s):	See Item S6 of Schedule S	
Frequencies:	3700-4200 MHz (space-to-Earth) 11.7-12.2 GHz (space-to-Earth) 5925-6425 MHz (Earth-to-space) 14.0-14.5 GHz (Earth-to-space)	
<p>Operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with Federal Communication Commission’s rules not waived herein. This grant is also subject to the following conditions:</p> <ol style="list-style-type: none"> 1. This grant does not include provision of any Direct-to-Home service, Direct Broadcast Satellite service, or Digital Audio Service to, from, or within the United States. 2. Communications between ALSAT-designated routine earth stations and the ARSAT-2 satellite must be in compliance with coordination agreements reached between Argentina and other Administrations. 3. ARSAT-2 must be maintained with an east/west longitudinal station-keeping tolerance of ±.05 degrees of the 81° W.L. orbital location. 4. The operations of ARSAT-2 and associated earth stations must comport with: (i) the applicable uplink limits in Sections 25.211, 25.212, 25.218, 25.221, 25.222, 25.226, and/or 25.227 of the Commission’s rules in the 5925-6425 MHz and 14.0-14.5 GHz frequency bands; and (ii) the applicable downlink limits in Section 25.212 of the Commission’s rules in the 3700-4200 MHz and 11.7-12.2 GHz frequency bands. These limits cannot be exceeded unless Empresa Argentina coordinates any non-conforming operation with the operations of U.S.-licensed GSO space stations within 6 degrees of 81.0° W.L. Non-conforming operation must also be coordinated with respect to those operations of non-U.S.-licensed space stations within 6 degrees of 81.0° W.L. involving approved communications with U.S.-licensed earth stations. 5. Empresa Argentina’s request for a waiver of Section 25.210(a)(3), 47 CFR § 25.210(a)(3), of the Commission’s rules is granted as conditioned. Section 25.210(a)(3) requires that all space stations in the 		

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FSS used for domestic service in the C-band be capable of switching polarity upon ground command. This provision is required to permit U.S.-licensed satellites the flexibility to be assigned to different orbital positions and to mitigate potential interference between adjacent FSS systems transmitting analog TV signals. Empresa Argentina states that the transmission polarization of the C-band payload of the ARSAT-2 satellite cannot be reversed from the ground, and that this design reduces the technical risk by avoiding a single point of failure in each transponder's polarization, reduces the mass and cost of the satellite, and results in better performance. Additionally, Empresa Argentina states that it has completed coordination with operators of adjacent satellites and the coordination agreements will account for the fixed polarization of ARSAT-2's C-band transmissions. Accordingly, we grant market access on the condition that the operation of ARSAT-2 is consistent with such adjacent operator arrangements and that for future two-degree compliant operators ARSAT-2 satellite must not cause more interference to any system authorized to provide services to, from, or within the United States that is two-degree spacing compliant than would be caused if the ARSAT-2 satellite complied with Section 25.210(a)(3). Further, if no adjacent operator arrangement exists, ARSAT-2 must not claim protection against interference to its operations caused by any system authorized to provide services to, from, or within the United States that is two-degree spacing compliant if such interference results from failure of the ARSAT-2 to comply with Section 25.210(a)(3) of the Commission's rules, 47 CFR § 25.210(a)(3).

6. This grant of market access will terminate in the event that the ARSAT-2 space station is relocated from the 81° W.L. orbital location or ceases to operate. In either case, ARSAT-2 will be removed from the Permitted Space Station List. If Empresa Argentina seeks to provide service to the United States using another space station or seeks to operate ARSAT-2 from another orbital location, it must file a new petition for market access to have the station placed on the Permitted List.

Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.

This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 CFR § 0.261, and is effective upon release.

Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).

Action Date:	July 21, 2016	
Term Dates	From: July 21, 2016	To: see conditions above

Approved:


 Stephen J. Duall
 Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	Bruce A. Olcott	Phone Number:	202-879-3630
Company:	Jones Day	Fax Number:	
Street:	51 Louisiana Ave N.W. bolcott@jonesday.com	E-Mail:	bolcott@jonesday.com
City:	Washington	State:	
Country:	USA	Zipcode:	20001 -
Attention:	Bruce Olcott	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): Non-Feeable

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 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.</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. 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 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

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 type="radio"/> Yes <input checked="" 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.	Q34 and Q40

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

Orbital Debris

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.

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? Argentina

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.)

Application to add Arsat-2 to the Permitted Space Station List.

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.

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 Carlos Maria del Valle Campos	46. Title of Person Signing Counsel	
47. Please supply any need attachments.		
1:	2:	3:
<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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