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Callsign/Satellite ID: S2693

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:
DIRECTV Ent. D13 Space Station Authorization

1-8. Legal Name of Applicant			
Name:	DIRECTV Enterprises, LLC	Phone Number:	310-726-4993
DBA Name:		Fax Number:	310-535-5323
Street:	2230 E. Imperial Hwy	E-Mail:	dapattillo@directv.com
City:	El Segundo	State:	CA
Country:	USA	Zipcode:	90245 -
Attention:	David A. Pattillo		



File # ^{RPL} SAT-~~EA~~-20060119-00005

Call Sign S2693 Grant Date 11/16/2006
(or other identifier)

Term Dates
From _____ To: _____

Approved: Cassandra C. Thomas

Cassandra E. Thomas, Deputy Chief
Satellite Division

* subject to attached
conditions

ATTACHMENT
IBFS File No. SAT-RPL-20060119-00005
Call Sign: S2693
Grant Date: November 16, 2006

The remaining portion of DIRECTV Enterprises, LLC's (DIRECTV) application¹ to construct, launch, and operate a direct broadcast satellite (DBS), DIRECTV 13 (Call Sign: S2693),² to replace the DIRECTV 5 satellite at the 110° W.L. nominal orbital location, IBFS File No. SAT-RPL-20060119-00005 IS GRANTED. Accordingly, DIRECTV is authorized to construct, launch, and operate the DIRECTV 13 DBS space station at the 109.8° W.L. orbital location with feeder links (Earth-to-space) in the 17.3–17.8 GHz band on DBS channels 28, 30, and 32, and service links (space-to-Earth) in the 12.2–12.7 GHz band on DBS channels 28, 30, and 32 in accordance with the terms, conditions, and technical specifications set forth in its application, the Federal Communication Commission's (Commission) rules, and the conditions below.

1. DIRECTV's request for waiver of the requirement to provide the location of the telemetry, tracking, and control (TT&C) earth stations associated with the DIRECTV 13 space station IS GRANTED. Pursuant to Section 25.114(a) of the Commission's rules, 47 C.F.R. § 25.114(a), space station applications must be filed using Form 312, Main Form and Schedule S, together with attached exhibits as described in Section 25.114(d). Applicants are required to provide the physical location of TT&C Earth stations associated with their proposed space station in Tab S14 of Schedule S. DIRECTV states that it has not yet contracted for the construction of DIRECTV 13, and therefore has not determined the specifics for controlling the DIRECTV 13 satellite. DIRECTV states that it therefore cannot provide the information sought in Tab S14 of Schedule S at this time. Pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, the Commission may waive a rule for good cause shown. Waiver is appropriate if special circumstances warrant a deviation from the general rule and such deviation would better serve the public interest than would strict adherence to the general rule.³ We find that DIRECTV has shown good cause for granting a waiver of the requirement to supply the location of the TT&C earth stations associated with the DIRECTV 13 satellite. We therefore grant DIRECTV's request for a waiver of the requirement to provide this information at this time, with the condition that DIRECTV provide the information prior to launch of the DIRECTV 13 satellite.

2. Pursuant to Section 25.148(b) of the Commission's rules, 47 C.F.R. § 25.148(b), the DIRECTV 13 DBS satellite must be constructed and placed into operation in accordance with the technical parameters and terms and conditions of this authorization by these specific time periods following the date of authorization:

- a. DIRECTV shall complete contracting for construction of the DIRECTV 13 satellite by November 16, 2007.

¹ Portions of the application pertaining to operation in the 36 MHz and 82 MHz wideband modes and launch of a payload capable of operating on even-numbered channels 2-26 were dismissed without prejudice to refile. *See* Letter to William M. Wiltshire, Esq., Harris, Wiltshire, & Grannis LLP, from Robert G. Nelson, Chief, Satellite Division, International Bureau, DA 06-1651, dated August 18, 2006. The remaining portion of the application was accepted for filing on August 18, 2006. *See* Policy Branch Information, Satellite Space Applications Accepted for Filing, *Public Notice*, Report No. SAT-00381 (rel. August 18, 2006).

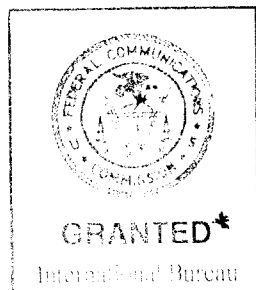
² DIRECTV is authorized to provide DBS service on DBS channels 28, 30, and 32 at the 110° W.L. nominal orbital location.

³ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1166 (D.C. Cir. 1990).

- b. DIRECTV shall complete construction of the DIRECTV 13 satellite by November 16, 2010.
- c. DIRECTV shall place the DIRECTV 13 satellite into operation by November 16, 2012.
3. DIRECTV must maintain the DIRECTV 13 satellite at 109.8° W.L. with +/- 0.05 degree longitudinal stationkeeping. *See* 47 C.F.R. § 25.210(j).
4. Pursuant to Section 25.111(c) of the Commission's rules, 47 C.F.R. § 25.111(c), DIRECTV shall provide the Commission with all information it requires in order to modify the Appendix 30 Broadcasting-Satellite Service Plans and associated Appendix 30A feeder-link Plans to incorporate the characteristics of the Broadcasting-Satellite Service space station of the DIRECTV 13 satellite, USABSS-25, in accordance with the ITU Radio Regulations. DIRECTV shall be held responsible for all cost recovery fees associated with these ITU filings. We also note that no protection from interference caused by authorized radio stations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual administrations, by successfully completing coordination agreements.⁴ Any radio station authorization for which coordination has not been completed and/or for which the necessary agreements under Appendices 30 and 30A have not been obtained may be subject to additional terms and conditions as required to effect coordination or obtain the agreement of other Administrations.
5. Until the characteristics of the Broadcasting-Satellite Service space station of the DIRECTV 13 satellite, USABSS-25, have been incorporated into the ITU Region 2 BSS Plan, in accordance with Appendix 30 of the ITU Radio Regulations, DIRECTV shall provide written notification to its customers who receive DBS signals from DIRECTV 13 using antennas smaller than 45 cm in diameter that their receivers are not protected from interference.
6. The license term for the DIRECTV 13 satellite is ten years, and will begin to run on the date DIRECTV certifies to the Commission that the DIRECTV 13 satellite has been successfully placed into orbit and that the operations of the DIRECTV 13 satellite fully conform to the terms and conditions of this authorization. Accordingly, DIRECTV is directed to provide a certification that the DIRECTV 13 satellite is operational within ninety days of the DIRECTV 13 satellite arriving at the authorized orbital location.
7. DIRECTV is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

⁴ We note that DIRECTV has indicated that the receiving antennas for DIRECTV 13 will be as small as 20 cm in diameter, and that the smallest DBS receiving antenna for U.S. DBS systems that is currently protected from interference is 45 cm in diameter. *See* Amendment of the Commission's Policies and Rules for Processing Applications in the Direct Broadcast Satellite Service; Feasibility of Reduced Orbital Spacing for Provision of Direct Broadcast Satellite Service in the United States, *Notice of Proposed Rulemaking*, FCC 06-120 (released August 18, 2006) at para. 61.

8. 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 upon release. 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 thirty days of the date of the public notice indicating that this action was taken.



* subject to attached conditions

File # ^{RPL} SAT-~~100~~-20060119-00005

Call Sign S2693 Grant Date 11/16/2006
(or other identifier)

Term Dates
From _____ To _____

Approved: Cassandra C. Thomas

Cassandra E. Thomas, Deputy Chief
Satellite Division

9-16. Name of Contact Representative

Name:	William M. Wiltshire	Phone Number:	202-730-1350
Company:	Harris, Wiltshire & Grannis, LLP	Fax Number:	202-730-1301
Street:	1200 Eighteenth Street, NW 12th Floor	E-Mail:	wwiltshire@harriswiltshire.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -
Attention:		Relationship:	Other

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)

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 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 checked="" type="checkbox"/> g. Other (please specify) Direct Broadcast Satellite</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: 12200 Frequency Upper: 17800 (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. Exhibit A	

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

Exhibit C

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. Exhibit B

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?

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.)

DIRECTV Enterprises, LLC requests authority to launch and operate a replacement DBS satellite at the nominal 110 degree WL orbital location.

Exhibit D

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.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify) Limited Liability Company

45. Name of Person Signing
James Butterworth

46. Title of Person Signing
Senior Vice President

47. Please supply any need attachments.

1:

2:

3:

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).

Completed Schedule S

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