

59-DSS-ML-74  
60-DSS-STA-94  
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August 29, 1994



File # \_\_\_\_\_  
Call Sign \_\_\_\_\_  
(or other identifier) \_\_\_\_\_  
From 9/29/95 To: 3/29/98  
Approved: *[Signature]*  
SEP 6 1994  
Term Dates  
Grant Date *[Signature]*  
for Tom Tye 2

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BY HAND DELIVERY

Federal Communications Commission  
Common Carrier Domestic Satellites  
P.O. Box 358160  
Pittsburgh, Pennsylvania 15251-5160

Re: SBS-4 Domestic Fixed-Service Satellite: Application for Modification  
of License or, Alternatively, for Special Temporary Authority

Gentlemen:

Enclosed on behalf of Hughes Communications Galaxy, Inc. are an original and four copies of an application for modification of the license of SBS-4 to extend the license term or, alternatively, for special temporary authority to continue to operate SBS-4 for a period of 180 days following the expiration of the satellite's license term.

Also enclosed are an FCC Form 159 and a check for \$6315, representing filing fees of \$5740 for the modification request and \$575 for the request for special temporary authority. The enclosed application contains an Anti-Drug Abuse Act certification.

Please contact me if you have any questions.

Sincerely,  
*[Signature]*  
Teresa D. Baer

Enclosures

cc (w/encl.): FCC Laurel, Maryland Field Office  
Cecily C. Holiday

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

In the Matter of	)	
	)	
HUGHES COMMUNICATIONS	)	File No.:
GALAXY, INC.	)	
	)	
Application To Modify the License	)	
for the SBS-4 Domestic Fixed-Service	)	
Satellite To Extend the License Term	)	
	)	

APPLICATION OF  
HUGHES COMMUNICATIONS GALAXY, INC.  
FOR MODIFICATION OF LICENSE OR,  
ALTERNATIVELY, FOR SPECIAL TEMPORARY AUTHORITY

Hughes Communications Galaxy, Inc. ("HCG") submits this application for modification of the license for its SBS-4 domestic fixed-service satellite to extend the license term of that satellite. In the alternative, HCG requests a grant of special temporary authority to continue to operate SBS-4 for a period of 180 days following the expiration of the satellite's license term.

HCG's ten-year license term for SBS-4 is expiring. Pursuant to Commission authorization, SBS-4 was launched on August 29, 1984, and successfully placed into geosynchronous orbit on approximately September 7, 1984. The satellite was put into service in November 1984, and it has operated successfully to date. Pursuant to Commission approval, SBS-4 was moved to 77° W.L. in February 1993.

At the 77° W.L. location, SBS-4 currently provides essential services over each of its transponders to NBC. HCG's business arrangement with NBC allows NBC to

utilize SBS-4 until the end of the satellite's useful life. In order to conserve fuel and prolong the useful life of the satellite, and pursuant to Commission authority,<sup>1/</sup> HCG is operating the satellite in an inclined orbit. HCG currently estimates that SBS-4 has sufficient fuel remaining to continue to provide service for approximately ten more years.

In order to maximize the use of its spacecraft, and to best meet NBC's needs, HCG requests that it be permitted to continue operating SBS-4 at its current location until its fuel is expended, at which time SBS-4 will be removed from service. HCG proposes to continue to operate the SBS-4 satellite within the terms of its current license.

Specifically, HCG requests that the Commission modify the license for SBS-4 to extend HCG's license term at 77° W.L. In the past, the Commission has concluded that granting an application for modification of a license term to extend operational authority beyond the original term served the public interest by "provid[ing] an opportunity for the public to continue receiving services" from a satellite.<sup>2/</sup> The Commission should reach the same result here. In the alternative, HCG requests that the Commission grant it an STA for a period of 180 days (the maximum time permitted under the Commission's Rules<sup>3/</sup>) so that it may continue to operate SBS-4 following the expiration of its license.<sup>4/</sup>

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<sup>1/</sup> Hughes Communications Galaxy, Inc., DA 94-457 (released May 11, 1994).

<sup>2/</sup> American Telephone & Telegraph Co., DA 93-1497 (released Dec. 16, 1993).

<sup>3/</sup> 47 C.F.R. § 25.119(b).

<sup>4/</sup> In view of the lengthy expected remaining useful life of SBS-4, grant of a modification of the license term would be significantly less burdensome on the Commission's administrative processes than issuance of an STA. A license modification would avoid repetitive requests every six months to extend or renew an STA.

Grant of HCG's request will serve the public interest, convenience, and necessity. It will allow HCG to continue to provide essential, valuable satellite services over SBS-4 without disruption to the NBC network and without requiring NBC to repoint all of its earth stations. Significantly, grant of the application will not have any adverse effect on other users of the orbital arc.<sup>5/</sup>

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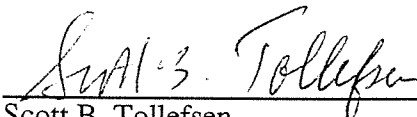
<sup>5/</sup> As the Commission is aware, GE has a presently pending application for two new Ku band satellites, designated Satcom K-2R and Satcom SN2R, which it proposes to locate in the "high-power density arc" at 76° and 79° W.L., with 3° spacing between the two satellites (alternatively, GE proposes assignments to 75° and 78° W.L.). GE American Communications, Inc., File Nos. 18-DSS-P/LA-94, 19-DSS-P/LA-94. HCG has opposed GE's proposal to the extent that it would require the reassignment of SBS-4 to another location, and has explained how SBS-4 can be accommodated at either 77° W.L. or at 83° W.L. even if GE's application is granted.

CONCLUSION

For the foregoing reasons, the Commission should modify the license for HCG's SBS-4 domestic fixed-service satellite by extending the license term of that satellite or, in the alternative, grant HCG special temporary authority to continue to operate SBS-4 for a period of 180 days following the expiration of the satellite's license term.

Respectfully submitted,

HUGHES COMMUNICATIONS  
GALAXY, INC.

By:   
Scott B. Tollefsen  
Vice President and Legal Counsel

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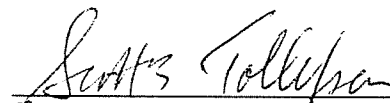
August 29, 1994

CERTIFICATION

The undersigned certifies to the Federal Communications Commission on behalf of HCG that neither HCG nor its parent company, Hughes Communications, Inc. ("HCI"), nor any of the officers or directors of HCG or HCI, is subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

HUGHES COMMUNICATIONS  
GALAXY, INC.

By:



\_\_\_\_\_  
Scott B. Tollefsen  
Vice President and Secretary

August 29, 1994