

# FCC REMITTANCE ADVICE

Received

PAGE NO. 1 OF 1

(RESERVED)

JUL 11 1996

Satellite Policy Branch  
International Bureau

SPECIAL USE

FCC USE ONLY

ECC/MELLON JUL 02 1996

(Read instructions carefully BEFORE proceeding.)

### PAYOR INFORMATION

(1) FCC ACCOUNT NUMBER

Did you have a number prior to this? Enter it.

(2) TOTAL AMOUNT PAID (dollars and cents)

0 | 1 | 3 | 2 | 8 | 4 | 9 | 9 | 8 | 5

\$ 575.00

(3) PAYOR NAME (If paying by credit card, enter name exactly as it appears on your card)

GE American Communications, Inc.

(4) STREET ADDRESS LINE NO. 1

Four Research Way

(5) STREET ADDRESS LINE NO. 2

136 SAT-STA-96

(6) CITY

Princeton

(7) STATE

NJ

(8) ZIP CODE

08540-6684

(9) DAYTIME TELEPHONE NUMBER (Include area code)

(609) 987-4000

(10) COUNTRY CODE (if not U.S.A.)

### ITEM #1 INFORMATION

(11A) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR

GE American Communications Satellites, Inc.

FCC USE ONLY

(12A) FCC CALL SIGN/OTHER ID

GSTAR I

(13A) ZIP CODE

08540-6684

(14A) PAYMENT TYPE CODE

C R Y

(15A) QUANTITY

1

(16A) FEE DUE FOR  
PAYMENT TYPE CODE  
IN BLOCK 14  
\$ 575.00

(17A) FCC CODE 1

(18A) FCC CODE 2

(19A) ADDRESS LINE NO. 1

(20A) ADDRESS LINE NO. 2

(21A) CITY/STATE OR COUNTRY CODE

### ITEM #2 INFORMATION

(11B) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR

FCC USE ONLY

(12B) FCC CALL SIGN/OTHER ID

(13B) ZIP CODE

(14B) PAYMENT TYPE CODE

(15B) QUANTITY

(16B) FEE DUE FOR  
PAYMENT TYPE CODE  
IN BLOCK 14  
\$

(17B) FCC CODE 1

(18B) FCC CODE 2

(19B) ADDRESS LINE NO. 1

(20B) ADDRESS LINE NO. 2

(21B) CITY/STATE OR COUNTRY CODE

### CREDIT CARD PAYMENT INFORMATION

(22) MASTERCARD/VISA ACCOUNT NUMBER:

Mastercard

EXPIRATION DATE:

Visa

Month Year

(23) I hereby authorize the FCC to charge my VISA or Mastercard for the service(s)/authorization(s) herein describe.

AUTHORIZED SIGNATURE

DATE

HOGAN & HARTSON  
L.L.P.

PETER A. ROHRBACH  
PARTNER  
DIRECT DIAL (202) 637-8631

COLUMBIA SQUARE  
555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
FAX (202) 637-5910

July 1, 1996

*BY FEDERAL EXPRESS*

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
International Bureau - Satellites  
P.O. Box 358210  
Pittsburgh, PA 15251-5210

**Re: STA Request for GSTAR I**

Dear Mr. Caton:

Enclosed on behalf of GE American Communications Satellites, Inc. is an application for special temporary authority to continue operations on the GSTAR I satellite and to operate the satellite in inclined orbit. Also included are a completed Form 159, a check for \$575 to cover the applicable filing fee, and a certification pursuant to the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

The enclosed filing also addresses a related request for modification of the authority held by GE American Communications, Inc. for the GE-I satellite. For fee purposes, however, the modification request is being filed under separate cover.

BRUSSELS LONDON MOSCOW PARIS\* PRAGUE WARSAW

BALTIMORE, MD BETHESDA, MD COLORADO SPRINGS, CO DENVER, CO McLEAN, VA

\\DC - 30764/1 - 0304922.01

\*Affiliated Office

HOGAN & HARTSON L.L.P.

Mr. William F. Caton

July 1, 1996

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Please date-stamp and return a copy of the enclosed filing in the postage-prepaid envelope provided.

Respectfully submitted,

*Peter A. Rohrbach* / *KDD*

Peter A. Rohrbach

Enclosures

cc: Fern J. Jarmulnek  
Michael A. McCoin

<b>FCC 701</b>	FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554	Approved by OMB 3060-0012 Expires 03/31/97 See reverse side for information regarding public burden estimate.	<b>FCC USE ONLY</b>
<b>APPLICATION FOR ADDITIONAL TIME TO CONSTRUCT                  A RADIO STATION</b> (Under 47 CFR Parts 21, 23 and 25) READ INSTRUCTIONS AND NOTICE ON BACK BEFORE COMPLETING			File Number

1. Legal Name of Applicant (If person list last name first)  
 GE American Communications, Inc.

Mailing Street Address or P.O. Box, City, State and ZIP Code Four Research Way Princeton, NJ 08540	Call Sign or Other FCC Identifier GE-I	(Area Code) Telephone No. (609) 987-4000
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2. Fee Data. Refer to 47 CFR Section 1.1105 or Common Carrier Services Fee Filing Guide for information.			<b>FCC Use Only</b>
(a) Fee Type Code CRY	(b) Fee Multiple (if required) 1	(c) Fee Due for Fee Type Code in 2(a) \$575.00	

3. Identification of Outstanding Construction Authorization			
(a) File Number 54-DSS-MP/ML-93	(b) Call Sign GE-I	(c) Frequency C/Ku-band hybrid	(d) Station Location 103 degrees W.L.

4(a) Has equipment been delivered?	(1) From Whom Ordered (if no order has been placed, so indicate)	(2) Date Ordered
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "NO," answer items (1) - (3)	See Exhibit 1	See Exhibit 1

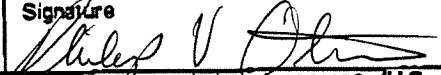
(b) Has installation commenced?	(c) Estimated date by which construction will be completed
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "YES," submit as Exhibit _____ a description of the extent of installation and the date installation commenced.	See Exhibit 1

6. If this is a Domestic Public Fixed Radio Service (Part 21) station, submit as Exhibit \_\_\_\_\_ a description of actions taken to construct station, including dates. N/A

7. Are the representations contained in the application for construction authorization still true and correct?  
 YES  NO If "NO," give particulars in Exhibit \_\_\_\_\_ See Exhibit 1

8. **CERTIFICATION**  
 The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853a, or, in the case of a nonindividual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 CFR 1.2002(b).

YES  NO  
 The applicant hereby waives any claim to the use of any particular frequency or 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. (See Section 304 of the Communications Act of 1934, as amended).  
 The applicant represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.  
 The applicant acknowledges that all statements made in this application and attached exhibits are considered material representations, and that all the exhibits are a material part hereof and are incorporated herein as if set out in full in the application.  
 The undersigned certifies that the statements in this application are true, complete and correct to the best of his/her knowledge and belief, and are made in good faith.

Date 6/28/96	Legal Name of Applicant GE American Communications, Inc.	Signature 
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Title of Person Signing  
 VP & General Counsel

Willful False Statements Made on this Form are Punishable by Fine and Imprisonment (U.S. Code Title 18, Section 1001) and/or Revocation of any Station License or Construction Authorization (U.S. Code, Title 47, Section 312(a)), and/or Forfeiture (U.S. Code, Title 47, Section 503).

Exhibits furnished as required by this form:		
Exhibit No. 1	Name of officer or employee (1) by whom, or (2) under whose direction exhibit was prepared (show which)	Official Title

## DECLARATION OF PHILIP V. OTERO

I, Philip V. Otero, am Vice President and General Counsel of GE American Communications, Inc. ("GE Americom"). I am submitting this declaration in support of GE Americom's request for modification of its authorization to construct and launch the GE-1 satellite. I hereby declare under penalty of perjury that the following statements are true and correct to the best of my knowledge, information and belief.

1. GE Americom is authorized to construct and launch GE-1 to the 103° W.L. position currently occupied by GSTAR I. GE American Communications Satellites, Inc. ("GE Americom Satellites"), a wholly-owned subsidiary of GE Americom, is the licensee of GSTAR I. The original license for GSTAR I expired on June 7, 1995. However, GE Americom Satellites requested and was granted special temporary authority to continue to operate the satellite. GSTAR I is still operational and is providing service to customers.

2. GE Americom entered into a contract with General Electric Company, Astro-Space Division, which now does business as Lockheed Martin AstroSpace Commercial ("Lockheed Martin"), for the construction and launch of GE-1 on December 31, 1992. The original contract specified that construction of GE-1 would be completed by December 31, 1995, and that the satellite would be launched and operational by March 31, 1996.

3. GE Americom, however, was subsequently advised by Lockheed Martin that it would be unable to meet the dates specified in the contract. Lockheed Martin now estimates that it will complete the construction of the satellite in the third quarter of this year and that it will be launched late in the third quarter. The satellite will comply with all material requirements of the authorization.

4. The delay in construction of GE-1 is the result of unforeseeable circumstances that were beyond the control of GE Americom. The contract for the satellite specified dates for completion of construction and launch of the satellite that were consistent with the authorization for the satellite. The manufacturer has failed to comply with that schedule. However, the manufacturer has advised GE Americom that the satellite will soon be completed and ready for launch.

5. Furthermore, modifying the authorized schedule for GE-1 is consistent with the public interest. GSTAR I is still operating pursuant to special temporary authority. Adjusting the construction completion and launch dates for GE-1 to correspond with the period of the STA extension being requested for GSTAR I will facilitate a seamless transition of customer traffic from GSTAR I to GE-1.

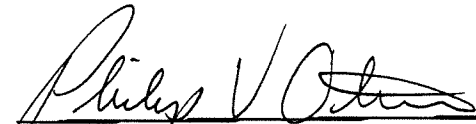
6. GE Americom requests that the Commission revise the schedule for GE-1 to provide for completion of construction no later than November 1996 and launch no later than December 1996. Although GE Americom currently expects

GE American Communications, Inc.  
FCC Form 701  
Exhibit 1  
Page 3 of 3

that GE-1 will be operational by the end of the third quarter of 1996, this proposed schedule will ensure that no further action by the Commission will be required in this matter. In addition, the schedule coincides with the term of the STA extension being sought for GSTAR I.

7. Accordingly, GE Americom respectfully requests that the schedule for GE-1 be modified as specified herein.

Executed on June 28, 1996

  
Philip V. Otero

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

In the Matter of Application by	)	
	)	
GE AMERICAN COMMUNICATIONS	)	File No.
SATELLITES, INC.	)	
	)	
For Special Temporary Authority	)	
to Continue Operations on GSTAR I	)	
and to Operate GSTAR I	)	
in Inclined Orbit	)	
	)	
And Application by	)	
	)	
GE AMERICAN COMMUNICATIONS, INC.	)	File No.
	)	
For Modification of Authority for GE-1	)	
to Extend Construction and Launch Dates	)	

**APPLICATIONS OF GE AMERICAN COMMUNICATIONS, INC.  
AND GE AMERICAN COMMUNICATIONS SATELLITES, INC.**

By this application, GE American Communications Satellites, Inc. ("GE Americom Satellites") respectfully requests special temporary authority to continue operations on its GSTAR I satellite and to operate that satellite in inclined orbit. In addition, GE American Communications, Inc. ("GE Americom") seeks modification of its authority to construct, launch and operate GE-1, the replacement satellite for GSTAR I. 1/ Specifically, GE Americom requests that the dates for completion of construction and launch of GE-1 be extended briefly to conform to the

1/ GE Americom is the immediate parent company of GE Americom Satellites.



STA for GSTAR I. Grant of these applications will serve the public interest by promoting efficient use of orbital resources and a smooth transition from GSTAR I to GE-1.

**I. EXTENSION OF STA FOR GSTAR I AND AUTHORITY TO OPERATE GSTAR I IN INCLINED ORBIT**

GSTAR I was placed into service at the 103° W.L. orbital location on June 7, 1985, with a ten-year license term that expired June 7, 1995. GE Americom Satellites requested special temporary authority to continue operating the satellite, and the International Bureau granted that request, extending the license period until January 7, 1996. 2/ GE Americom Satellites subsequently requested a six month extension of the STA through July 7, 1996. 3/ The extension request was unopposed.

GE Americom Satellites now requests special temporary authority to continue operating GSTAR I for an additional six month period and to operate the satellite in inclined orbit pending its replacement by GE-1. As described in further detail below, the GE-1 spacecraft is currently expected to begin providing service in the third quarter of 1996.

GE Americom Satellites seeks authority to operate GSTAR I in inclined orbit to conserve its remaining fuel capacity, allowing continued operations until GE-1 is ready for service. The inclination of the orbit will be minimal.

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2/ See Letter of Thomas S. Tycz, File No. 112-SAT-STA-95 (September 29, 1995).

3/ See Letter of Kyle D. Dixon, File No. 53-SAT-STA-96 (January 11, 1996).

GE Americom Satellites estimates that by the end of the third quarter, when GE-1 is expected to be in service, the orbit will be inclined by less than half a degree. This small change in the orbit will not result in any increased interference to adjacent satellites. In any event, the satellites operating in the adjacent positions on either side of GSTAR I are also licensed to GE Americom Satellites, Satcom SN-4 at 101° W.L., and GSTAR 4 at 105° W.L.

In inclined orbit GSTAR I will continue to be capable of providing reliable and affordable Ku-band service to many customers, including VSAT networks, shipping and delivery services, health care services, intercorporate communications services and video programmers. Granting special temporary authority for the licensee to operate GSTAR I for up to an additional six months will serve the public interest because it will allow the licensee to continue serving existing customers. Further, such authority will enable the licensee to provide a seamless transition of customer traffic from GSTAR I to GE-1 when the latter begins providing service at 103° W.L.

Accordingly, GE Americom Satellites respectfully requests that the Commission grant special temporary authority for the licensee to continue operating GSTAR I until January 7, 1997 and to operate the satellite in inclined orbit during that period.

## II. MODIFICATION OF AUTHORITY FOR GE-1

To the extent necessary, GE Americom also seeks modification of the construction completion and launch deadlines for GE-1. This modification will

permit GE Americom to obtain the maximum use of GSTAR I before launching GE-1 to take its place.

In 1992 GE Americom received authority for the GE-1 satellite to operate at 85° W.L. to serve as a replacement for GE Americom's Satcom K-1 and Satcom II-R satellites. 4/ At that time, the Commission also granted GE Americom's request to establish a schedule for construction and launch of the satellite "to conform to the anticipated end-of-life of Satcom K-1." *Id.* at 5170. 5/ The Commission specified January 1996 for completion of the satellite's construction and March 1996 for launch. *Id.* at 5170-5171.

In 1994 the Commission approved a modification of the GE-1 authorization, reassigning the satellite to the 103° W.L. orbital position currently occupied by GSTAR I 6/. At the time, the expected end of life for GSTAR I was June of 1995, when its original license was to expire. Accordingly, no modification of the schedule for GE-1 was made when it became authorized to follow GSTAR I. However, in fact GSTAR I's useful life has extended well beyond the end of its license period, and the Commission has authorized continued operation of the spacecraft at that location. As discussed above, GSTAR I continues to be operational today, providing service to a broad range of customers.

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4/ GE American Communications, Inc. 7 FCC Rcd 5169 (1992).

5/ This authority came in the form of a modification of GE Americom's previous authorization of the Satcom H-1 expansion satellite, deleting the expansion status and making H-1 a new replacement authorization.

6/ GTE Spacenet Corporation & GE American Communications, Inc., 9 FCC Rcd 1271 (1994).

Meanwhile, there have been delays in the production of GE-1. The contract GE Americom entered into for the manufacture of GE-1 specified a delivery date of December 31, 1995, and required that the satellite be launched and operational no later than March of 1996. Unfortunately, the manufacturer has been unable to adhere to that schedule. GE Americom nevertheless hoped that GE-1 could be launched prior to the expiration of the current STA for GSTAR I. GE Americom has recently been advised by the manufacturer that GE-1 will be delivered in the third quarter of this year and launched late in the third quarter.

GE Americom therefore requests that when the Commission grants the next STA for GSTAR I, it also take any action necessary to modify the authorization for GE-1 to extend the construction completion and launch dates. As explained in the attached declaration, the delays in completion and launch of GE-1 are matters beyond GE Americom's control. The satellite is now very near to completion and will soon be ready for launch. Even with the delays, launch of the satellite will fall well within the Commission's "five year rule" because the decision authorizing the satellite was issued in July of 1992. Furthermore, extending the dates is appropriate because GSTAR I, the satellite GE-1 is to replace, is still operational. Accordingly, GE Americom submits that modification of the construction completion and launch dates will serve the public interest. 7/

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7/ GE Americom acknowledges that the GSTAR I STA allowing continued use of 103° W.L. by that spacecraft did not obviate the need for a separate request for modification of the existing GE-1 milestone dates prior to this time. However, the GE Americom staff member with primary responsibility for addressing such matters left the company late last year, and as a result, need for any revision of the construction and launch schedule for GE-1 was overlooked. GE Americom has

GE Americom requests that the Commission extend the satellite's schedule to require completion of construction of GE-1 no later than November 1996 and launch no later than December 1996. As noted above, GE Americom is now being advised that the satellite should be delivered and launched well before then -- by the end of the third quarter. However, the proposed schedule will allow GE Americom to avoid the need for a subsequent modification request if there is minor additional delay. In addition, the proposed schedule is consistent with the requested term of the extension of special temporary authority for GSTAR I. In accordance with the requirements of Section 25.117(e) of the Commission's Rules, 47 C.F.R. § 25.117(e), a completed Form 701 and accompanying declaration are attached.

### CONCLUSION

The special temporary authority for GSTAR I and the modification of authorization for GE-1 described herein will permit the continued provision of service to customers and facilitate the transition from GSTAR I to GE-1.

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taken prompt steps to discuss this matter with the Commission staff and file the instant modification request since it became aware of this situation.

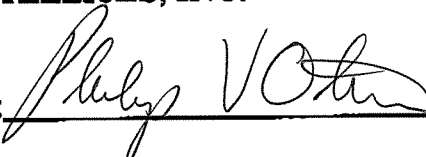
Accordingly, GE Americom Satellites and GE Americom respectfully request that the Commission grant the instant applications.

Respectfully submitted,

GE AMERICAN COMMUNICATIONS,  
INC.  
and  
GE AMERICAN COMMUNICATIONS  
SATELLITES, INC.

Of Counsel

Peter A. Rohrbach  
Karis A. Hastings  
Hogan & Hartson L.L.P.  
555 Thirteenth Street, N.W.  
Washington, D.C. 20004-1109  
(202) 637-5600

By:  \_\_\_\_\_

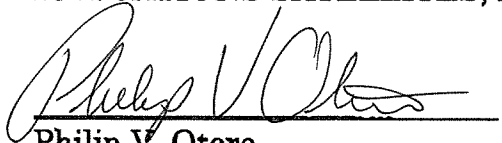
Philip V. Otero  
Vice President and General Counsel  
GE American Communications  
Satellites, Inc.  
Four Research Way  
Princeton, NJ 08540

June 28, 1996

**ANTI-DRUG CERTIFICATION**

GE American Communications Satellites, Inc. hereby certifies that no party to the foregoing application is subject to a denial of federal benefits pursuant to § 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

GE AMERICAN  
COMMUNICATIONS SATELLITES, INC.

By:   
Philip V. Otero  
Vice President and General Counsel

Dated: June 18, 1996