



Federal Communications Commission  
Washington, DC 20554

International Bureau

December 20, 2002

Joseph Godles, Esq.  
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1229 19<sup>th</sup> Street, N.W.  
Washington, D.C. 20036

Re: Application of PanAmSat Licensee Corp. for Modification of License to Reassign  
PAS-6 from 68.5° E.L. to 72° E.L. (SAT-MOD-20010614-00052)

PanAmSat Licensee Corp. Request for Special Temporary Authority  
(SAT-STA-20020404-00045)

PanAmSat Licensee Corp. Request for Extension of Deadline for Financial  
Showing for PAS-7 (SAT-MOD-19970128-00009)

Dear Mr. Godles:

This is in response to the application of PanAmSat Licensee Corp. (PanAmSat) filed on June 14, 2001, to modify its license for its PAS-6 satellite to permit the relocation of PAS-6 from its assigned 68.5° E.L. orbit location to the 72° E.L. orbit locations assigned to another PanAmSat satellite. In this letter, we grant that application, with conditions. We placed PanAmSat's modification application on public notice, and no comments or oppositions were filed. We have also granted PanAmSat Special Temporary Authority (STA) to relocate PAS-6, and to operate that satellite in the Ku-band, subject to conditions.<sup>1</sup>

In its modification application, PanAmSat maintains that the Commission's policy is to accommodate licensees by granting requests to rearrange satellites among orbit locations assigned to that licensee when the relocation will not cause unacceptable interference to adjacent satellites.<sup>2</sup> PanAmSat is correct. We find that PanAmSat's

<sup>1</sup> See Letter from Thomas S. Tycz, Chief, Satellite and Radiocommunication Division, Federal Communications Commission, to Joseph Godles, Esq., Counsel for PanAmSat Licensee Corp. (dated Oct. 15, 2001) (*October 15 Letter*).

<sup>2</sup> PanAmSat Modification Application at 2, *citing* Comsat General Corporation, Modification of Authorization to Operate Space Station in the Mobile Satellite Service, *Order and Authorization*, 15 FCC Rcd 18776 (Int'l Bur., Sat, and Rad. Div., 2000).

proposed relocation of its hybrid C-band/Ku-band satellite will not cause increased interference to adjacent satellites than would the operations of the hybrid PAS-7 satellite initially assigned to that location,<sup>3</sup> provided that PAS-6 is operated under the conditions set forth below.

When we granted PanAmSat's STA request in the *October 15 Letter*, we determined that operation of the Ku-band transponders of PAS-6 at 72° E.L., subject to conditions, would not increase interference potential.<sup>4</sup> We see no reason to revisit that determination. We further conclude here that operation of the C-band transponders of PAS-6 at 72° E.L., subject to conditions, will not cause increased interference. We also understand that PanAmSat has and continues to perform coordination of PAS-6 at 72° E.L. with the operators of neighboring satellites; particularly, those of India and Russia.

PanAmSat states that it would return its PAS-7 authorization for cancellation in the event that we grant its PAS-6 modification application.<sup>5</sup> We therefore condition this modification grant upon PanAmSat returning its PAS-7 authorization within 30 days of the date of this letter. Furthermore, the PAS-7 authorization was conditioned upon PanAmSat submitting certain financial information. PanAmSat requested an extension of the deadline for submission of that financial showing (SAT-MOD-19970128-00009). Upon cancellation of the PAS-7 authorization, PanAmSat's pending extension request will be moot. Accordingly, we dismiss PanAmSat's pending extension request.

In addition to its modification application, PanAmSat has filed the above-captioned request for extension of its STA to operate PAS-6 in the Ku-band at 72° E.L. In light of our grant of PanAmSat's modification application, we dismiss that STA request as moot.

Accordingly, pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, PanAmSat's modification application captioned above is granted, and PanAmSat is authorized to operate the C-band and Ku-band transponders on the PAS-6 satellite at 72°E.L., subject to the following conditions:

- 1) Operation at C-band and Ku-band is subject to International Radio Regulation 4.4. Therefore, no harmful interference shall be caused to any other lawfully operated radio station, and PanAmSat shall cease operations immediately upon notification of such interference.
- 2) Operation must be consistent with coordination agreements with adjacent satellites, including those of Russia and India.

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<sup>3</sup> Alpha Lyracom, d/b/a Pan American Satellite, Application for Authority to Construct, Launch, and Operate a Hybrid International Communications Satellite System (PAS-7), *Memorandum Opinion, Order and Authorization*, 7 FCC Rcd 4277 (1992).

<sup>4</sup> *October 15 Letter* at 1-2.

<sup>5</sup> PanAmSat Modification Application at 4 n.7.

- 3) PanAmSat is to inform the Commission when service is initiated at C-band.
- 4) Consistent with footnote NG104, PanAmSat shall not use the 11.45-11.7 GHz frequency band on PAS-6 for U.S. domestic service without being granted an appropriate waiver by the Commission.
- 5) PanAmSat shall return its PAS-7 authorization for cancellation within 30 days of the date of this letter.

Sincerely,



Fern Jarmulnek  
Deputy Chief,  
Satellite Division