



File # 21-STH-2003024-00001
with attached conditions
Call Sign _____ Grant Date April 22, 2003
Term Dates April 22, 2003 To May 29, 2003
Approved: [Signature]

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

PanAmSat Licensee Corp. ("PanAmSat"), pursuant to Section 25.120 of the Commission's rules,¹ hereby requests special temporary authority ("STA") for up to 60 days, commencing on April 22, 2003, to relocate Galaxy III-R from 74° W.L. to 111.1° W.L.

- (1) relocate Galaxy III-R from 74° W.L., where it has been operating on a temporary basis pursuant to an STA, to 111.1° W.L.; and
- (2) operate the tracking, telemetry, and command ("TT&C") payload on Galaxy III-R during the relocation.

PanAmSat will not operate the communications payload on Galaxy III-R during its relocation; only the TT&C payload will be in use during that time. At 111.1 W.L., Galaxy III-R will provide replacement capacity, on an interim basis, for Anik E-2.

Galaxy III-R is a hybrid C/Ku-band satellite that originally was assigned to 95 W.L. Last year, PanAmSat launched and commenced operation of a replacement satellite, Galaxy III-C, at 95 W.L. This deployment left Galaxy III-R - which has several years of station keeping life remaining - available for reassignment.

On November 1, 2002, the Commission granted PanAmSat an STA to relocate Galaxy III-R to 74 W.L. and to operate the satellite's C-band and TT&C payloads at that orbital location.² The STA enabled PanAmSat to maintain C-band capability at 74 W.L. on an interim basis, following the decommissioning of Galaxy VI. PanAmSat also has applied for authority to launch and operate a replacement C-band satellite, Galaxy XII, at 74 W.L. PanAmSat expects to launch Galaxy XII at the end of this quarter or early in the second quarter of the year.

PanAmSat has leased all of the C-band and Ku-band capacity on Galaxy III-R to Telesat Canada ("Telesat") for operation at 111.1 W.L. The agreement between the parties requires PanAmSat to obtain FCC authority to relocate the satellite. Once Galaxy III-R arrives at 111.1 W.L., Telesat will operate the satellite pursuant to an authorization from Industry Canada, the Canadian telecommunications authority. The "Trilateral Agreement" that the United States, Canada, and Mexico entered into in 1988 designates 111.1 W.L as a Canadian orbital location,³ and Canada has coordinated the orbital location, pursuant to ITU procedures, for operation on C-band and Ku-band frequencies.

¹ 47 C.F.R. § 25.120.

² See File No. SAT-STA-20020924-00171. This STA expires on March 31, 2003. PanAmSat is filing a separate request to extend its authority for Galaxy III-R at 74 W.L., so there will be no gap in authority between March 31 and the date that PanAmSat begins drifting the satellite to 111.1 W.L.

³ See Public Notice, Trilateral Arrangement Regarding Use of the Geostationary Orbit Reached by Canada, Mexico, and the United States, Mimeo 4406 (Sept. 2, 1988).

PanAmSat's request for an STA is supported by good cause. Telesat presently operates Anik E-2 at 111.1 W.L., but that satellite is approaching the end of its useful life. Telesat's lease of the capacity on Galaxy III-R will enable it to continue providing service at 111.1 W.L. pending the launch of Anik F-2, a replacement satellite. Grant of PanAmSat's STA request will facilitate this arrangement by enabling PanAmSat to relocate Galaxy III-R to the desired location.⁴ Facilitating continuity of service is unquestionably in the public interest. Grant of the requested STA also is in keeping with an exchange of letters between the U.S. and Canadian governments, committing to permitting the satellite systems of each country to serve the other country in times of capacity shortages.⁵

Grant of the requested STA, moreover, would present no significant risk of interference to other users. PanAmSat will not operate the communications payload on Galaxy III-R during the relocation to 111.1 W.L. In addition, PanAmSat will follow standard industry practices for coordination of TT&C transmissions during the relocation process.

Uplink TT&C transmissions on Galaxy III-R will occur at either 5935.0 MHz (horizontal) or 6415.0 MHz (vertical) and downlink TT&C transmissions will occur at 4198.5 MHz and 4199.625 MHz. The complete uplink and downlink TT&C transmission parameters are described follows:

Command:	6415.0 MHz, vertical (dish)
	5935.0 MHz, horizontal, (omni)
Telemetry	4198.5 MHz, horizontal (dish)
	4199.625 MHz, horizontal (dish)
	4198.5MHz, vertical (omni)
	4199.625MHz, vertical (omni)

Accordingly, and for good cause shown, PanAmSat respectfully requests an STA for up to 60 days, commencing on April 22, 2002, to relocate Galaxy III-R to 111.1° W.L., and to operate the TT&C payload on the satellite in the manner described in this request.

⁴ The Commission previously has granted PanAmSat an STA, for PAS-9, to facilitate a lease of capacity to a satellite system that was not U.S. licensed (*i.e.*, Arabsat).

⁵ See letter from Bert W. Rein, Department of State, to Kenneth B. Williamson, Embassy of Canada (Nov. 7, 1972).

Questions with respect to this matter should be directed to Joseph A. Godles or Michael A. McCain, counsel for PanAmSat, at (202) 429-4900.

Attachment

- 1) During the drift of the satellite from 74° W.L. to 111.1° W.L., PanAmSat shall not operate the communications payload on the Galaxy IIIR satellite; and
- 2) PanAmSat shall coordinate its telemetry, tracking, and control (TT&C) operations with existing geostationary satellites to ensure that no unacceptable interference results from its TT&C operations during its drift operations; and
- 3) Drift of the Galaxy IIIR satellite is on a non-interference basis. PanAmSat shall not cause harmful interference to, and shall not claim protection from harmful interference from, the operations of other satellites. Any actions taken as a result of the drift authority ARE SOLELY AT PANAMSAT'S OWN RISK; and
- 4) This grant is conditioned upon and subject to modification insofar as necessary for compliance with any subsequent agreement between representatives of the governments of Canada and the United States concerning use of the Galaxy IIIR spacecraft. In addition, this grant and any further operations of the satellite are subject to the finalization of an understanding between the Federal Communications Commission (FCC) and Industry Canada; and
- 5) This authorization and any further operations of the satellite are subject to the following additional conditions: (1) PanAmSat shall seek FCC authorization for any future operations of the satellite outside of the scope of the Canadian authorization issued on April 15, 2003 ("Licence Conditions for the Use of Interim Satellite Facilities at the 111.1°W Orbital Position"); (2) PanAmSat will, barring catastrophic failure of satellite components, maintain the capability to deorbit the Galaxy IIIR spacecraft to an orbit with a perigee of no less than 300 kilometers above the geostationary altitude, by, for example, maintaining adequate fuel reserves.