



SAT-STA-20030626-00118

52135 Grant Date 3/29/2004

6/30/2003 Term Dates To: 12/30/2003

Approved by OMB 3060-0678

Approved: *Robert G. Nelson* FEDERAL COMMUNICATIONS COMMISSION  
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY  
FOR OFFICIAL USE ONLY  
*See SES DTH order received Aug 15 2003*  
*DA 03-2683*

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:  
SES Americom AMC-4 further extension request - SAT-STA-20021219-00235

1. Applicant

<b>Name:</b>	SES Americom, Inc.	<b>Phone Number:</b>	609-987-4187
<b>DBA Name:</b>		<b>Fax Number:</b>	609-987-4233
<b>Street:</b>	Four Research Way	<b>E-Mail:</b>	nancy.eskenazi@ses-amicom.com
<b>City:</b>	Princeton	<b>State:</b>	NJ
<b>Country:</b>	USA	<b>Zipcode:</b>	08540 -6684
<b>Attention:</b>	Nancy J. Eskenazi		

2. Contact

<b>Name:</b>	Karis A. Hastings	<b>Phone Number:</b>	202-637-5767
<b>Company:</b>	Hogan & Hartson L.L.P.	<b>Fax Number:</b>	202-637-5910
<b>Street:</b>	555 Thirteenth Street, NW	<b>E-Mail:</b>	KAHastings@HHLaw.com
<b>City:</b>	Washington	<b>State:</b>	DC
<b>Country:</b>	USA	<b>Zipcode:</b>	20004 -1109
<b>Contact Title:</b>		<b>Relationship:</b>	Legal Counsel

(If your application is related to an application filed with the Commission, enter the file number below.)

3. Reference File Number SATMOD2002110800207

4a. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).  
 Governmental Entity     Noncommercial educational licensee  
 Other (please explain):

4b. Fee Classification CRY - Space Station (Geostationary)

5. Type Request

- Change Station Location                       Extend Expiration Date                       Other

6. Temporary Orbit Location

7. Requested Extended Expiration Date

8. Description (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

By this application, SES Americom, Inc., requests further extension of its special temporary authority (STA) to provide direct-to-home service using AMC-4 pending action on its request for permanent direct-to-home authority for this satellite.

9. 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

10. Name of Person Signing  
Nancy J. Eskenazi

11. Title of Person Signing  
Vice President and Associate General Counsel

12. Please supply any need attachments.

Attachment 1: Att. 1

Attachment 2:

Attachment 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).

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

In the Matter of Application by )  
 )  
SES AMERICOM, INC. ) File No. SAT-STA-\_\_\_\_\_  
 )  
For Extension of Special Temporary Authority to )  
Provide Space Segment on AMC-4 for the )  
Delivery of Direct-to-Home Services )

**APPLICATION OF SES AMERICOM, INC.**

By this application, SES AMERICOM, Inc. ("SES AMERICOM") respectfully requests extension of the special temporary authority granted in File No. SAT-STA-20021219-00235 (the "AMC-4 STA") for a six-month period through December 30, 2003. The AMC-4 STA authorized SES AMERICOM to provide space segment used to deliver direct-to-home ("DTH") services over AMC-4,<sup>1</sup> pending action on SES AMERICOM's request for modification of the AMC-4 license to authorize DTH services. *See* File No. SAT-MOD-20021108-00207 (the "DTH Application").<sup>2</sup> All DTH services are provided on a subscription, non-common carrier basis. Grant of this extension request will serve the public interest by

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<sup>1</sup> AMC-4 (formerly GE-4) is a geostationary C/Ku-band hybrid satellite operating at 101° W.L. *See GE American Communications, Inc.*, 15 FCC Rcd 3385 (Sat. & Radiocomm. Div. 1999).

<sup>2</sup> The DTH Application was placed on Public Notice on November 15, 2002. *See* Report No. SAT-00128. No comments were filed with respect to the DTH Application.

promoting competition in the satellite services market and ensuring service continuity.

The DTH Application provides a detailed discussion of the relevant factual background and the legal analysis supporting SES AMERICOM's request for DTH authority for its satellite fleet. In particular, the DTH Application demonstrates that permitting SES AMERICOM to offer DTH services without restrictions will create additional capacity choices for programming distributors without posing any risks to competition, is consistent with Commission policies regarding foreign ownership of DTH providers, and will ensure a level competitive playing field among U.S.-licensed satellite operators. SES AMERICOM will not repeat that lengthy presentation here, but instead refers the Commission to the underlying application and to the AMC-4 STA request.

Extension of the AMC-4 STA is necessary to avoid the risk of service disruption and to prevent a distortion of competition in the satellite services marketplace. Pursuant to authority granted in the AMC-4 STA, SES AMERICOM provides capacity to a customer that uses C-band spectrum to deliver programming to home satellite dish owners nationwide. SES AMERICOM must be able to continue providing this capacity to avoid interruption of services to the customer's end users. Any disruption in service would be extremely detrimental to these end users and to the customer's ongoing business.

For the foregoing reasons, the Commission should grant SES AMERICOM an extension of its special temporary authority to offer subscription-based direct-to-home services using the AMC-4 satellite until the earlier of:

(1) grant of the Modification Application or (2) December 30, 2003.

SES AMERICOM hereby certifies that no party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

Respectfully submitted,

SES AMERICOM, INC.

By: /s/ Nancy J. Eskenazi

Nancy J. Eskenazi  
Vice President and Associate  
General Counsel  
SES AMERICOM, Inc.  
Four Research Way  
Princeton, NJ 08540

Of Counsel

Peter A. Rohrbach  
Karis A. Hastings  
Hogan & Hartson L.L.P.  
Washington, D.C. 20004-1109  
Tel: (202) 637-5600  
Fax: (202) 637-5910

Dated: June 26, 2003