

Approved by OMB
3060-0678

Date & Time Filed: Mar 30 2006 5:50:18:823PM
File Number: SAT-STA-20060330-00034
Callsign: S2446

SATCOM C-4 STA to 104.95° W.L.

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

FOR OFFICIAL USE ONLY

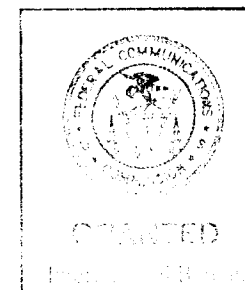
APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

C-4 STA (104.95 W.L.) Request 3/2006

1. Applicant

Name:	SES Americom, Inc.	Phone Number:	609-987-4000 x4187
DBA Name:		Fax Number:	609-987-4233
Street:	4 Research Way	E-Mail:	nancy.eskenazi@ses-amicom.com
City:	Princeton	State:	NJ
Country:	USA	Zipcode:	08540 -
Attention:	Ms. Nancy J. Eskenazi		



w/conditions

File # SAT-STA-20060330-00034

Call Sign S2446 Grant Date June 16, 2006
(or other identifier)

Term Dates
From June 16, 2006 To + 60 days

Approved: [Signature]
Policy Branch Chief

ATTACHMENT
Conditions of Authorization
IBFS File No. SAT-STA-20060330-00034
June 16, 2006

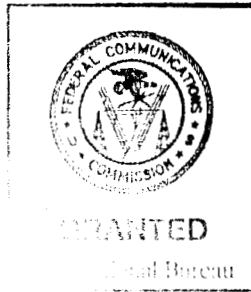
SES Americom, Inc.'s (SES Americom) request for special temporary authority, IBFS File No. SAT-STA-20060330-00034,¹ Call Sign: S2446, IS GRANTED. Accordingly, SES Americom, Inc. is authorized to conduct telemetry, tracking and control (TT&C) operations related to the relocation of the Satcom C-4 satellite to the 104.95° W.L. orbital location in accordance with the terms, conditions, and technical specifications set forth in the Commission's rules. This authorization is subject to the following conditions:

1. The special temporary authority is for 60 days commencing on the date of grant.
2. During the relocation of Satcom C-4 to the 104.95° W.L. orbital location, SES Americom shall not operate the main communications payload on Satcom C-4.
3. SES Americom shall coordinate all drift orbit TT&C operations with other potentially affected in-orbit operators.
4. During relocation of the Satcom C-4 to the 104.95° W.L. orbital location, operations shall be on a non-harmful interference basis, meaning that SES Americom shall not cause interference to, and shall not claim protection from interference caused to it by, any other lawfully operating satellite or radio communications systems.
5. In the event that any harmful interference is caused as a result of operations during the relocation of the Satcom C-4, SES Americom, Inc. shall cease operations immediately upon notification of such interference and shall inform the Commission immediately, in writing, of such an event.
6. Effective upon the date the Satcom C-4 satellite reaches the 104.95° W.L. orbital location, the U.S. license for that satellite (Call Sign: S2446) is terminated. SES Americom, Inc. shall inform the Commission, through a letter to the Chief, Satellite Division, FCC, within five business days following the date on which the Satcom C-4 satellite arrives at the 104.95° W.L. orbital location.
7. The Federal Communications Commission has exchanged letters with the United Kingdom Office of Communications and the Gibraltar Regulatory Commission to ensure a mutual understanding regarding the operations of the Satcom C-4 satellite. The understandings and factual basis for these understandings are attached in Annex A, and are material considerations for the grant of this authority.

SES Americom is granted 30 days from the date of the release of this authorization to decline the authorization as conditioned. Failure to respond within that period will constitute formal acceptance of the authorization as conditioned.

¹ The request for special temporary authority was placed on public notice as accepted for filing on April 14, 2006. See Policy Branch Information, Satellite Space Applications Accepted for Filing, Report No. SAT-00354 (released April 14, 2006). No comments were filed.

This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.



w/conditions

File # SAT-STA-20060330-0334

Call Sign S244 Grant Date June 16, 2006
(or other identifier)

Term Dates
From June 16, 2006 To: +60 days

Approved: [Signature]

Policy Branch Chief

ANNEX A



Gibraltar Regulatory Authority

Suite 811, Europort
Gibraltar

Tel: +350 74636
Fax: +350 72166
e-mail: info@gra.gi

url: <http://www.gra.gi>

Your ref.
Our ref. 182A
Date 16 June 2006

Mr Robert G Nelson
Chief
Satellite Services
Federal Communication Commission
Washington, DC 20554
USA

Dear Mr Nelson

Operations of the Satcom C-4 Space Station

Thank you for your letter of 16 June 2006 to Ofcom and the GRA setting out our informal common understandings concerning the various technical issues involved in the operation of the Satcom C-4 space station.

I am pleased to confirm on behalf of the GRA that this corresponds to our understanding.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul J Canessa', with a horizontal line underneath.

Paul J Canessa
Chief Executive

L

16 June 2006

Robert G. Nelson
Chief Satellite Division
Federal Communications Division
Washington D.C. 20554
USA

[
Malcolm Johnson
Direct line: +442077834112
Direct fax:
Mobile: +447783360370

Malcolm.Johnson@ofcom.org.uk

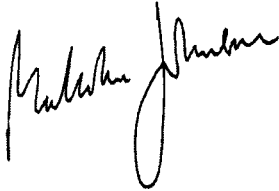
Dear Mr Nelson

Re: Operations of the Satcom C-4 Space Station

Thank you for your letter of 16 June 2006 to Ofcom and the GRA setting out our informal common understandings concerning the various technical issues involved in the operation of the Satcom C-4 space station.

I am pleased to confirm this corresponds to our understand.

Yours sincerely



Malcolm Johnson

CC Bob Phillips, Ofcom
Paul Canessa, GRA

Riverside House
2a Southwark Bridge Road
London SE1 9HA

Telephone + 44 (0)20 7981 3000
Facsimile + 44 (0)20 7981 3333
www.ofcom.org.uk



International Bureau

Federal Communications Commission
Washington, DC 20554

June 16, 2006

Mr. Paul J. Canessa
Chief Executive
Gibraltar Regulatory Authority
Suite 811, Europort
Gibraltar

Malcolm Johnson
International Coordinator
Ofcom
Riverside House
2a Southwark Bridge Road
London SE19HA
United Kingdom

Re: Operations of the Satcom C-4 Space Station

Dear Mssrs. Canessa and Johnson:

This letter is to confirm the informal understandings of the Gibraltar Regulatory Authority (GRA), the Office of Communications of the United Kingdom (Ofcom) and the Federal Communications Commission (FCC) concerning certain issues involved in the operation of a geostationary satellite known as Satcom C-4 by SES Americom, Inc. (SES Americom) and SES Satellites (Gibraltar) Ltd. (SES Gibraltar), a wholly-owned indirect subsidiary of SES Americom.

Background

SES Americom is authorized by the FCC to operate the Satcom C-4 space station at the 85° W.L. orbital location. Satcom C-4 is a C-band-only space station. SES Americom and SES Gibraltar plan to move the Satcom C-4 space station from the 85° W.L. orbital location to the 104.95° W.L. orbital location, where the satellite will operate until the anticipated launch of AMC-18 to that location in late 2006. AMC-18, also a C-band-only space station, is currently under construction. On March 6, 2006, the GRA authorized SES Gibraltar to operate the Satcom C-4 satellite at the 105° W.L. orbital location. That license was conditioned upon using a satellite control center established in Gibraltar to undertake the primary method of telemetry, tracking and control (TT&C) of

the satellite. The GRA subsequently granted SES Gibraltar a temporary waiver in order to continue to conduct TT&C operations of Satcom C-4 from an earth station in the United States until a satellite control center in Gibraltar is able to undertake those functions.

On April 19, 2006, the FCC granted SES Americom special temporary authority to conduct TT&C operations of the Satcom C-4 space station as it drifts from the 85° W.L. orbital location to the 103.1° W.L. orbital location. SES Americom has also requested special temporary authority to conduct TT&C operations of the Satcom C-4 space station as it drifts from the 103.1° W.L. orbital location to the 104.95° W.L. orbital location. Any operations of Satcom C-4 at the 104.95° W.L. orbital location will be coordinated with operations of the AMC-15 satellite, which operates at the 105.05° W.L. orbital location pursuant to an FCC authorization, so that there will be no overlap in the station-keeping volumes of the two satellites.

SES Americom and SES Gibraltar contemplate that upon arrival of the Satcom C-4 space station at the 104.95° W.L. orbital location, licensing authority over the spacecraft will transfer from the FCC to the GRA, except that TT&C will continue to be performed from SES Americom earth station facilities located in the United States and licensed by the FCC, until a satellite control center established in Gibraltar is able to undertake those functions. Once the Satcom C-4 space station begins operations under a Gibraltar license, SES Gibraltar must apply for and obtain a license in accordance with the provisions of the Gibraltar Teleport Facility License Regulations 1998, for TT&C ground station operations.

Informal Understandings between the GRA, Ofcom, and the FCC on certain technical issues concerning operation of Satcom C-4

It is my understanding that our agencies have concurred on the following technical issues concerning the operation of Satcom C-4:

1. Until completion of maneuvers to station the Satcom C-4 satellite at the 104.95° W.L. orbital location, it will operate subject to FCC authority.
2. Upon completion of maneuvers necessary to station the Satcom C-4 satellite at the 104.95° W.L. orbital location, and thereafter, the Satcom C-4 satellite will operate subject to the GRA's authority. Ofcom and the GRA will thereafter have responsibility, in accordance with their respective competencies, for compliance with the ITU Radio Regulations (including the requirement for licensing as specified in Article 18.1 of the Radio Regulations, and any applicable agreement-seeking procedures) in connection with operation of the Satcom C-4 satellite.
3. The GRA shall consult with the FCC at the earliest possible date upon receipt of any request for termination of the GRA license, or any request to transfer control of the license, if the request will result in licensing the Satcom C-4 satellite under the authority of a third Administration.

4. The GRA will condition the Satcom C-4 License to require SES Gibraltar to maintain, barring catastrophic failure of satellite components, the capability to de-orbit the Satcom C-4 spacecraft to an orbit with a perigee at an altitude of no less than 35,936 kilometers.

The informal understandings set forth in this letter concerning operation of the Satcom C-4 satellite do not constitute a concurrence by the United States Administration with any filings made to the ITU Radiocommunication Bureau in connection with the operations of the Satcom C-4 spacecraft. It is my understanding that the FCC and Ofcom will, separately, and as part of the agreement-seeking process applicable under the ITU Radio Regulations, work in good faith to complete that process, insofar as necessary, in connection with the operation of the Satcom C-4 satellite.

The FCC has not issued any of the authorizations that would be necessary to provide service to customers in the United States using the Satcom C-4 satellite at the 104.95° W.L. orbital location. The FCC has received a petition to place the Satcom C-4 space station on the FCC's Permitted Space Station List so that the satellite can provide C-band services to the United States from the nominal 104.95° W.L. orbital location. This exchange of letters does not constitute approval of that request.

Finally, all notices, inquiries, and correspondence from GRA or Ofcom concerning these matters should be directed to the Chief, Satellite Division, International Bureau (phone number 202.418-0719) (e-mail: Robert.Nelson@fcc.gov, with a copy to Andrea.Kelly@fcc.gov and Mark.Young@fcc.gov), on the part of the FCC. The FCC will forward all notices, inquiries, and correspondence concerning these matters to the Chief Executive, Gibraltar Regulatory Authority (phone number +350 74636) (e-mail info@gra.gi) on the part of GRA, and to the International Coordinator, Ofcom

(phone number +44-207-783-4112) (e-mail Malcolm.Johnson@ofcom.org.uk) and Head of Space Services (e-mail Bob.Phillips@ofcom.org.uk) on the part of Ofcom. Please let us know if these addresses and phone numbers subsequently change.

If the foregoing corresponds to your understanding of the informal arrangements concerning the various technical issues involved in the operation of the Satcom C-4 space station, please confirm by return letter. Thank you.

Sincerely,



Robert G. Nelson
Chief
Satellite Division

cc: John Nelson
Vice President, Business Operations
SES Satellites (Gibraltar) Ltd.

Bob Phillips
Head of Space Services
Ofcom

2. Contact	
Name: Karis A. Hastings	Phone Number: 202-637-5767
Company: Hogan & Hartson L.L.P.	Fax Number: 202-637-5910
Street: 555 Thirteenth Street, NW	E-Mail: KAHastings@HHLaw.com
City: Washington	State: DC
Country: USA	Zipcode: 20004 -1109
Attention:	Relationship: Legal Counsel
(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)	
3. Reference File Number or Submission ID	
4a. Is a fee submitted with this application?	
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee <input type="radio"/> Other (please explain):	
4b. Fee Classification CRY – Space Station (Geostationary)	
5. Type Request	
<input checked="" type="radio"/> Change Station Location <input type="radio"/> Extend Expiration Date <input type="radio"/> Other	
6. Temporary Orbit Location 104.95 W.L.	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.)		
<div style="border: 1px solid black; padding: 10px; margin: 0 auto; width: 80%;"> See Attachment 1. </div>		
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. <div style="text-align: right; margin-top: 5px;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </div>		
10. Name of Person Signing Nancy J. Eskenazi	11. Title of Person Signing Vice President & Associate General Counsel	
12. Please supply any need attachments.		
Attachment 1: Attachment 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).		

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to jboley@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

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

In the Matter of Application by)
SES AMERICOM, INC.) File No. SAT-STA- 20060330 00034
For Special Temporary Authority)
To Relocate Satcom C-4 to 104.95° W.L.)

APPLICATION OF SES AMERICOM, INC.

SES Americom, Inc. ("SES Americom") hereby respectfully requests special temporary authority for a period of up to sixty days to relocate the Satcom C-4 C-band satellite to the 104.95° W.L. orbital position and to operate the C-band TT&C payload during the drift to that location. Once the spacecraft arrives at 104.95° W.L. and upon receipt of all necessary authorizations, the satellite will be operated by SES Americom's wholly-owned indirect subsidiary, SES Satellites (Gibraltar) Ltd. ("SES Gibraltar"), pursuant to a license issued by the Gibraltar Regulatory Authority ("GRA"). Grant of the instant STA request will serve the public interest by facilitating the introduction of new C-band services to the U.S. from the nominal 105° W.L. orbital position.

SES Americom now operates the C-band only Satcom C-4 satellite at 85° W.L. pursuant to Commission authority. However, Satcom C-4 is currently acting as an in-orbit spare at that location, as SES Americom is offering C-band capacity from 85° W.L. using the AMC-2 C/Ku-band hybrid spacecraft. SES

Americom has requested special temporary authority from the Commission to drift Satcom C-4 to 103.1° W.L. in order to facilitate the ultimate relocation of the satellite to 105° W.L.¹

SES Gibraltar plans to use Satcom C-4 on an interim basis to provide new C-band capacity to the U.S. from 105° W.L. SES Gibraltar has a new C-band only spacecraft (AMC-18) under construction for 105° W.L. AMC-18 is scheduled for launch in the fourth quarter of 2006. Pending launch and operation of AMC-18, SES Gibraltar has requested and received authority from the GRA to permit operation of Satcom C-4 at the nominal 105° W.L. orbital location (the "GRA License"). A redacted copy of the GRA License is attached hereto as Exhibit 1. SES Gibraltar has filed a petition for declaratory ruling requesting that Satcom C-4 be added to the Commission's Permitted Space Station List to enable U.S.-licensed earth stations with ALSAT authority to communicate with Satcom C-4 once it is operating under the GRA License.

SES Gibraltar has sought and received from the GRA a waiver of the GRA License that requires TT&C to be performed from Gibraltar. Instead, TT&C for Satcom C-4 will continue to be performed from SES Americom facilities located in the U.S. pending further action to permit initiation of TT&C operations from

¹ See File No. SAT-STA-20060302-00018. The STA request was placed on public notice on March 10 (Report No. SAT-00347, rel. March 10, 2006). If authority relating to operation of Satcom C-4 at 105° W.L. is received while the spacecraft is drifting, SES Americom will likely continue drifting the spacecraft directly to 104.95° W.L., rather than stopping at 103.1° W.L.

Gibraltar. A copy of the GRA waiver authorizing TT&C to be performed from the U.S. is attached as Exhibit 2.

At 105° W.L., Satcom C-4 will be collocated with SES Americom's AMC-15 Ku/Ka-band hybrid spacecraft. In order to facilitate stationkeeping of the two spacecraft, SES Gibraltar and SES Americom plan to operate at slight offsets from the nominal 105° W.L. location. Specifically, SES Gibraltar will operate Satcom C-4 centered at 104.95° W.L. with an East-West stationkeeping tolerance of +/- 0.05 degrees. SES Americom is in the process of preparing a license modification application seeking authority to operate AMC-15 centered at 105.05° W.L., also with an East-West stationkeeping tolerance of +/- 0.05 degrees. This will permit the two companies to operate their satellites without any overlap of the respective stationkeeping boxes.²

The proposed relocation of Satcom C-4 and operation of the spacecraft TT&C payload during the drift will not adversely affect any party. As noted above, there are no customers currently taking service on Satcom C-4 who would be displaced by the proposed move. Nor would any other operator be adversely

² In the event that the Commission has not acted on the AMC-15 license modification at the time Satcom C-4 arrives at 105° W.L., SES Gibraltar and SES Americom will maintain their spacecraft with a tighter stationkeeping tolerance. Specifically, pending action on the AMC-15 modification, SES Gibraltar will operate Satcom C-4 centered at 104.9375° W.L., with an East-West stationkeeping tolerance of +/- 0.0375 degrees. SES Americom will operate AMC-15 centered at 105.0125° W.L., also with an East-West stationkeeping tolerance of +/-0.0375 degrees. Thus, Satcom C-4 will operate within a stationkeeping box bounded by 104.900° W.L. and 104.975° W.L, and AMC-15 will operate within a stationkeeping box bounded by 104.975° W.L. and 105.050° W.L.

affected. During the drift to 104.95° W.L., only the TT&C payload of Satcom C-4 will be active. SES Americom will coordinate concerning the drift with potentially affected satellite operators in accordance with industry practice, both with respect to the physical location of the spacecraft and with respect to TT&C frequencies, and will operate the Satcom C-4 TT&C payload on a non-interference basis.

SES Americom seeks temporary authority to relocate Satcom C-4 to 104.95° W.L. and to operate its C-band TT&C payload during the drift pursuant to the following conditions:

(a) SES Americom seeks authority for a period of up to 60 days to drift Satcom C-4 to 104.95° W.L. and to operate the Telemetry, Tracking and Control (TT&C) of the Satcom C-4 satellite during the drift, in accordance with the terms, conditions, and technical specifications set forth in its application and with the Commission's Rules.

(b) During the drift of the Satcom C-4 satellite to the 104.95° W.L. orbital location, SES Americom shall not operate the main communications payload of the satellite.

(c) SES Americom shall coordinate all drift orbit telemetry, tracking, and control operations with other potentially affected in-orbit operators.

(d) During the relocation of the Satcom C-4 satellite, operations must be on a non-harmful interference basis, that is, SES Americom shall not cause interference to, and shall not claim protection from interference caused to it by any other lawfully operating satellites or radio communications systems.

(e) SES Americom shall notify the Commission, by letter to the Chief, Satellite Division, International Bureau, 30 days prior to commencement of use of SES Satellites (Gibraltar) Ltd.'s earth station facilities to provide the earth station segment of telemetry, tracking, and control communications.

(f) Effective upon the date the Satcom C-4 satellite reaches the 104.95° W.L. orbital location, the U.S. license for that satellite (Call Sign: S2446) will be terminated. SES Americom shall notify the Commission, by letter to the Chief, Satellite Division, International Bureau, within five business days following the date on which the Satcom C-4 satellite reaches the 104.95° W.L. orbital location.

(g) Grant of this special temporary authority is also subject to the negotiation and execution of an exchange of letters between the Commission and the Gibraltar Regulatory Authority to ensure a mutual understanding regarding the operations of the Satcom C-4 satellite. The understandings and factual basis for these understandings that form the basis of the exchange of letters are material considerations for the grant of this special temporary authority.

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.

SES Americom waives any claim to the use of any particular frequency or of the 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.

For the foregoing reasons, SES Americom seeks temporary authority for a period of up to 60 days to relocate Satcom C-4 to 104.95° W.L. and to operate the C-band TT&C payload during the drift to that location.

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

Dated: March 30, 2006

EXHIBIT 1



**LICENCE GRANTED TO SES SATELLITES (GIBRALTAR) LIMITED
UNDER SECTION 4 OF THE OUTER SPACE ACT 1986
AS EXTENDED TO GIBRALTAR BY THE
OUTER SPACE ACT 1986 (GIBRALTAR) ORDER 1996**

THE LICENCE

- 1 The Governor, in exercise of the powers conferred on him by section 4 of the Outer Space Act 1986 ("the Act") as extended to Gibraltar by the Outer Space Act 1986 (Gibraltar) Order 1996 (S.I. 1996/No.1916) ("the Order") subject to the exceptions and modifications specified in the Schedule to that Order, hereby grants to SES Satellites (Gibraltar) Limited, a company incorporated in Gibraltar under No. 57393 whose registered office is situate at 28 Irish Town, Gibraltar ("the Licensee") a licence, for the period specified in paragraph 2, subject to the Conditions set out in the Schedule and to revocation as set out in paragraph 2, to carry out those activities specified in paragraph 4, in relation to the satellite known as Satcom C4 ("the Satellite").
- 2 Subject to compliance with the Condition Precedent set out in paragraph 3, this Licence shall enter into force with the commencement of operation of the Satellite until revocation by the Governor under the Act as extended to Gibraltar by the Order or until termination by the Licensee by not less than six months notice in writing subject to the provisions of Condition 2. In the event that operation of the Satellite has not taken place before 30th June 2006 this Licence shall not enter into force and the Licensee shall return it to the Governor.
- 3 This Licence shall not enter into force unless the following conditions ("the Conditions Precedent") has been complied with:
 - (1) The drift to 105° West has commenced.
 - (2) Unless otherwise approved by the Governor, the Licensee will take all steps in its power to ensure that the positioning of the Satellite conforms with the information provided.
 - (3) Immediately before the commencement of the drift of the Satellite the insurance policies identified in Condition 4.2 of the Schedule to this Licence remain valid and enforceable and that any amendments made to those policies have been made with the prior written consent of the

Gibraltar Regulatory Authority Gibraltar Regulatory Authority Gibraltar Regulatory Authority Gibraltar Regulatory Authority Gibraltar Regulatory Authority

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Governor and that the insurers are not entitled to repudiate or disclaim liability, or withhold cover, under these policies.

4 The following activities are authorised by this Licence ("the Licensed Activities")

- (1) Operation of the Satellite
- (2) Drift of Satcom C4 to 105° West.

5 In this Licence —

- (a) "Condition" means a condition set out in the Schedule to this Licence;
- (b) "Governor" means the Governor and Commander-in-Chief of Gibraltar and includes any person or agency to whom he may have delegated such functions, duties, responsibilities and powers conferred on him by the Act as extended to Gibraltar by the Order as are relevant for the purpose of this Licence;
- (c) except where the context otherwise requires, words and expressions have the same meaning as they have in the Act as extended to Gibraltar by the Order;
- (d) the headings are inserted for convenience only and shall not affect its interpretation or construction;
- (e) the Schedule forms an integral part of this Licence.

Chief Executive
Gibraltar Regulatory Authority



[Signature] Dated the *6th* day of *March* 2006

SCHEDULE**CONDITIONS INCLUDED UNDER SECTION 5 OF THE ACT****1 Inspection and testing**

- 1.1 The Governor may at any time, with reasonable notice, inspect the Licensee's facilities (and any facilities operated for the Licensee) for carrying on the Licensed Activities, and any documents in the possession, custody or power of the Licensee which relate to the Licensed Activities including the Licensee's records as required to be kept by it under the terms and conditions of this Licence and any documents relating to information requested pursuant to this Licence. Such inspection may include any plant, machinery or equipment used by the Licensee for carrying on the Licensed Activities. The Governor may take copies of any documents or records inspected under this Licence. In the event that any documents or records (or copies of documents or records) belonging to the Licensee are taken by the Governor under this or any other provision of this Licence, they shall be kept confidential and not disclosed to a third party except in connection with the discharge of the Governor's duties under the Act as extended to Gibraltar by the Order or otherwise as required by law.
- 1.2 The Licensee shall, if requested so to do by the Governor, use its best endeavours to obtain access for the Governor to any facilities or documents relating to the Licensed Activities not in the Licensee's direct ownership, possession, custody or power as the Governor may specify by notice in writing to the Licensee.
- 1.3 The Licensee shall conduct such tests of its equipment (including computer software) used for carrying on the Licensed Activities, as the Governor considers appropriate. The Licensee shall provide the Governor with the results of such tests.

2 Termination of Licence at Licensee's request

- 2.1 The Licensee may at any time terminate this Licence by giving the Governor not less than six months advance notice in writing to that effect provided that:-
- 2.1.1 no such termination shall take effect until the Governor is satisfied that the Licensed Activities have been terminated and the Satellite disposed of or otherwise dealt with to the satisfaction of the Governor; and
- 2.1.2 any such termination shall be without prejudice to any rights that may have arisen pursuant to the provisions of this Licence before the termination.

3.13 The Licensee shall pay to the Government of Gibraltar a licence fee of £1,000 per annum.

4 Insurance

4.1 The Licensee shall insure and continue to insure itself against all liabilities that may arise in respect of damage or loss suffered by third parties, in Gibraltar, the United Kingdom or elsewhere, as a result of the Licensed Activities.

4.2 Subject to Condition 4.3, Condition 4.1 shall be satisfied by:

the policy of insurance issued by REDACTED

REDACTED REDACTED

under which SES Global S.A., SES Astra S.A., and SES Americom Inc is the Policyholder and Her Majesty's Government of the United Kingdom and the Government of Gibraltar are Insured Parties (as evidenced by the signed copy of the original Insurance Contract the Licensee supplied to the Governor).

4.3 In the event that the Satellite does not reach its planned orbital location as notified to the Governor in accordance with paragraph 3(b) of this Licence, or in the event that Final Acceptance of the Satellite does not take place in accordance with the Contract, the Governor may require the Licensee to make additional insurance arrangements to comply with Condition 4.1 above.

4.4 The Licensee shall provide evidence of the policies of insurance entered into to comply with its obligations under the terms of this Licence to the Governor upon demand together with evidence of payment of the premiums in respect of such policy or policies. Without prejudice to the generality of Condition 4.7, the Licensee shall not vary terms relating to the Licensed Activities of, nor add any additional named insureds to, the insurance effected to comply with its obligations under this Licence without the prior written consent of the Governor.

4.5 The Licensee shall ensure that the Crown in right of its Government in Gibraltar and the Crown in right of its Government in the United Kingdom are a named insured in any such policy of insurance or its interest is secure in a manner satisfactory to the Governor.

4.6 The Licensee shall immediately notify the Governor of any event or other occurrence which is likely to give rise to a claim under any of the policies of insurance effected by the Licensee pursuant to the terms of this Licence.

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- 8.1 Any notice required to be given to the Licensee shall be addressed to it at 28 Irish Town, Gibraltar and marked for the attention of the Company Secretary. Any notice required to be given to the Governor shall be addressed to him c/o the Chief Executive, Gibraltar Regulatory Authority, Suite 811, Europort, Gibraltar or at such other address as may from time to time be notified and by facsimile copier to fax number (+350) 72166 or such other number as may from time to time be notified to the Licensee.

- 8.2 The Licensee shall notify the Governor in advance in writing of any change of address for the service of notices.

----- END -----

EXHIBIT 2



Gibraltar Regulatory Authority

Suite 811, Europort
Gibraltar

Tel: +350 74636
Fax: +350 72166

e-mail: info@gra.gi

url: <http://www.gra.gi>

Your ref.
Our ref. 182A
Date 10 March 2006

Mr John A Nelsen
Vice President Business Operations
SES Satellites (Gibraltar) Limited
Four Research Way
Princeton NJ 08540
USA

Dear John,

Request for Waiver

Your request for a temporary waiver to operate the C4 satellite by SES American Communications, Inc. from the United States once the Outer Space Act Licence issued by me on 6th March 2006 is agreed.

The Satellite Control Centre established outside Gibraltar may undertake telemetry, tracking and control of the Satellite on a primary basis until the Satellite Control Centre established in Gibraltar is able to undertake such functions.

Please note that SES Satellites (Gibraltar) Limited must apply for and obtain a licence in accordance with and subject to the provisions of the Teleport Facility Licence Regulations 1998 to operate C4 once the transfer to the Gibraltar licence is made.

Yours sincerely,

Paul J Caressa
Chief Executive