

Date & Time Filed: Jan 26 2007 10:00:17:356AM
File Number: SAT-STA-20070126-00019
Callsign:

DTV-1

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:
STA - D1 - move from 72.5 to 91

1. Applicant

Name:	DIRECTV Enterprises, LLC	Phone Number:	310-726-4993
DBA Name:		Fax Number:	310-535-5323
Street:	2230 E. Imperial Hwy	E-Mail:	dapattillo@directv.com
City:	El Segundo	State:	CA
Country:	USA	Zipcode:	90245
Attention:	Dave Pattillo		


File # SAT-STA-20070126-00019

Call Sign _____ Grant Date 3/8/07

(or other identifier)

From See conditions Term Dates To: + 30 days

Approved: Andrea L. Carr Policy Branch Chief

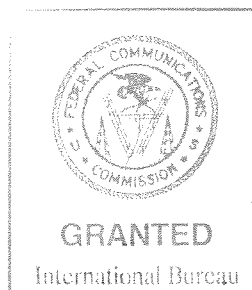


GRANTED
International Bureau
w/conditions

Conditions of Authorization
File No. SAT-STA-20070126-00019
March 8, 2007

DIRECTV Enterprises, LLC's (DIRECTV) request for special temporary authority, IBFS File No. SAT-STA-20070126-00019, IS GRANTED. Accordingly, DIRECTV is authorized to conduct telemetry, tracking, and control communications related to the relocation of the DIRECTV 1 satellite from the 72.7° W.L. orbital location to the 91° W.L. orbital location in accordance with the terms, conditions, and technical specifications set forth in the Commission's rules and this document.

- 1) This authorization is for a period of 30 days commencing on the date that customer traffic is transferred from the DIRECTV 1 satellite to the DIRECTV 1R satellite. DIRECTV shall notify the Commission, by letter to the Chief, Satellite Division, International Bureau, within five business days following the date on which the transfer of customer traffic from the DIRECTV 1 to the DIRECTV 1R satellites is accomplished.
- 2) During the drift of the DIRECTV 1 satellite to the 91° W.L. orbital location, DIRECTV shall not operate the main communications payload of the satellite.
- 3) DIRECTV shall coordinate all drift orbit telemetry, tracking, and control operations with other potentially affected in-orbit operators.
- 4) During the relocation of the DIRECTV 1 satellite, operations must be on a non-harmful interference basis, that is, DIRECTV shall not cause interference to, and shall not claim protection from, interference caused by any other lawfully operating satellites or radio communications systems.
- 5) In the event that any harmful interference is caused as a result of operations during the relocation of the DIRECTV 1 satellite, DIRECTV shall cease operations immediately upon notification of such an event, and shall inform the Commission immediately, in writing, of the event.
- 6) The Commission has exchanged letters with the Canadian Department of Industry to ensure a mutual understanding regarding the operations of the DIRECTV 1R satellite. The understandings and factual basis for these understandings are attached in Annex A and are material considerations for the grant of this special temporary authority.



w/conditions

File # SAT-STA-20070126-00019

Call Sign _____ Grant Date 3/8/07

(or other identifier)

From 1 To: +30 days

Approved: [Signature]

Policy Branch Chief

ANNEX A
File No. SAT-STA-20070126-00019
March 8, 2007



International Bureau

Federal Communications Commission
Washington, DC 20554

March 8, 2007

Ms. Chantal Beaumier
Director, Space and International Regulatory Activities
Radiocommunications and Broadcasting Regulatory Branch
Industry Canada
15th Floor, 300 Slater Street
Ottawa, Ontario, Canada
K1A 0C8

Re: Operations of the DIRECTV 1R and DIRECTV 1 Space Stations

Dear Ms. Beaumier:

This letter is to confirm the informal understandings of the Canadian Department of Industry (Industry Canada) and the Federal Communications Commission (FCC) concerning certain technical issues involving the operation of two Broadcasting Satellite Service (BSS) satellites, DIRECTV 1R and DIRECTV 1, by DIRECTV Enterprises, LLC (DIRECTV) and Telesat Canada (Telesat). DIRECTV and Telesat have entered into an amended memorandum of agreement, and a satellite relocation and lease agreement. These agreements concern, in part, the technical issues discussed in prior correspondence, dated June 21 and 24, 2005, between the FCC and Industry Canada.

The Transaction between DIRECTV and Telesat

DIRECTV currently operates the DIRECTV 1R satellite at the 100.85° W.L. orbital location, subject to FCC authority. The DIRECTV 1 satellite is currently located at the 72.5° W.L. orbital location, where Telesat operates it pursuant to an authorization from Industry Canada.

DIRECTV has agreed to relocate the DIRECTV 1R satellite to the 72.5° W.L. orbital location, and, after completing that move and handing off customer traffic at that location, to make available the capacity on the DIRECTV 1 satellite for use by Telesat at either the 82° W.L. or 91° W.L. orbital location. Telesat has agreed to provide DIRECTV with an exclusive right to use all of the capacity on the DIRECTV 1R satellite at the 72.5° W.L. orbital location until December 31, 2009. Additionally, upon the exercise of certain options outlined in the amended agreement and subject to approval by the Canadian and U.S. governments, operations of DIRECTV 1R at the 72.5° W.L. orbital location under

Canadian authorization may be extended beyond the December 31, 2009 service termination date on a month-to-month basis. The amended agreement further provides that, once the DIRECTV 1R satellite has arrived at the 72.5° W.L. orbital location, the DIRECTV 1 satellite will be moved first to the 72.7° W.L. orbital location to transfer traffic to DIRECTV 1R, and then drifted to the 82° W.L. or 91° W.L. orbital location to augment service from Telesat's other satellites. Under the relocation and lease agreement between DIRECTV and Telesat, DIRECTV 1 will be relocated to the 91° W.L. orbital location for a lease terminating on March 1, 2009, but the termination date may be extended on a month-by-month basis until the end of life of the satellite. DIRECTV may, under certain circumstances, recall the DIRECTV 1 satellite from the 91° W.L. orbital location to one of DIRECTV's FCC-licensed orbital locations upon 5 days' notice to Telesat, in the event that DIRECTV 1 is needed to replace some or all of the capacity of certain DIRECTV satellites due to a catastrophic satellite or launch failure.

The agreement contemplates that, once DIRECTV 1R is at the 72.5° W.L. orbital location, it will be operated under the direction and control of Telesat. DIRECTV and its subcontractors will perform telemetry, tracking, and control functions (TT&C functions) on behalf of Telesat. The agreement also contemplates that, pursuant to an existing operations agreement between DIRECTV and Telesat, Telesat shall continue to provide TT&C functions for DIRECTV 1 until it is no longer used for service at the 82° W.L. or 91° W.L. orbital locations.

On January 18, 2007, Industry Canada authorized Telesat to operate the DIRECTV 1R satellite at the 72.5° W.L. orbital location, and to operate the DIRECTV 1 satellite at the 82° W.L. or 91° W.L. orbital location. DIRECTV filed with the FCC a request for special temporary authority to relocate the DIRECTV 1R satellite from its currently authorized location to the 72.5° W.L. orbital location. DIRECTV also filed a request to modify its blanket earth station authorization to substitute DIRECTV 1R for DIRECTV 1 as the point of communication for consumer earth stations in the United States, and to extend the term of that authority to December 31, 2009. DIRECTV also requested special temporary authority for TT&C frequencies to be used by the DIRECTV 1 space station as it is relocated from the 72.7° W.L. orbital location to the 91° W.L. orbital location. This last application also contemplates the concurrent operation of both the DIRECTV 1R and DIRECTV 1 satellites at the 72.5° W.L. and 72.7° W.L. orbital locations, respectively, for a short time to accommodate satellite testing and transfer of traffic from DIRECTV 1 to DIRECTV 1R.

Informal Understandings between Industry Canada and the FCC on certain technical issues concerning operation of DIRECTV 1R and DIRECTV 1:

The FCC and Industry Canada have concurred on the following technical issues concerning the contemplated operations of DIRECTV 1R and DIRECTV 1:

1. At the 72.5° W.L. orbital location, DIRECTV 1R operations will be subject to Canadian authority. At the 72.7° W.L., 82° W.L. and 91° W.L. orbital locations,

DIRECTV 1 operations will be subject to Canadian authority. Because these locations involve Canadian entries to the Region 2 Plan of Appendix 30/30A of the International Telecommunication Union (ITU) Radio Regulations, the Canadian administration will have responsibility 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 DIRECTV 1R satellite at the 72.5° W.L. orbital location, and the DIRECTV 1 satellite at the 72.7° W.L., 82° W.L. and 91° W.L. orbital locations.

2. The following operations of the DIRECTV 1R satellite will be subject to licensing by the FCC:
 - a. Any operations of the satellite other than at the 72.5° W.L. orbital location.
 - b. Any operations as a result of equipment failure in the satellite that results in the inability to maintain the satellite within ± 0.1 degrees of its assigned position at the 72.5° W.L. orbital location.
3. The following operations of the DIRECTV 1 satellite will be subject to licensing by the FCC:
 - a. Any operations of the satellite other than i) operations during transfer of traffic at the 72.7° W.L. orbital location, ii) at the 82° W.L. orbital location, iii) at the 91° W.L. orbital location, or iv) while it is moving between the 82° W.L. and 91° W.L. orbital locations.
 - a. Any operations as a result of equipment failure in the satellite that results in the inability to maintain the satellite within ± 0.1 degrees of its assigned position at the 72.7° W.L., 82° W.L. or 91° W.L. orbital location.
 - c. Any operations after the termination of the lease agreement.
4. Industry Canada, through the Director, Space and International Regulatory Activities, once the Canadian licensee has been informed, will provide the FCC with four (4) days' advance written notice (e-mail with confirmed receipt from the FCC's Chief, International Bureau, Satellite Division, will be considered sufficient) of any planned termination or expiration of the Canadian License for the DIRECTV 1 or DIRECTV 1R satellites.
5. Industry Canada will condition the DIRECTV 1R and DIRECTV 1 Licenses to require Telesat to maintain, barring catastrophic failure of satellite components, the capability to de-orbit the DIRECTV 1R and DIRECTV 1 spacecraft to an orbit consistent with ITU Recommendation S.1003-1, Environmental Protection of the Geostationary-Satellite Orbit.

The informal understandings set forth in this letter concerning operation of the DIRECTV 1R and DIRECTV 1 satellites do not constitute a concurrence by the FCC or the United States Administration with any Canadian filings with the ITU Radiocommunication Bureau at the 72.5° W.L., 82° W.L., or 91° W.L. orbital locations under Appendices 30 or 30A of the ITU Radio Regulations. It is my understanding that the FCC and Industry Canada 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 DIRECTV 1R satellite at the 72.5° W.L. orbital location and the operation of the DIRECTV 1 satellite at the 82° W.L. or 91° W.L. orbital location.

The FCC has not issued any of the authorizations that would be necessary to provide direct-to-home services to customers in the United States using the DIRECTV 1R satellite at the 72.5° W.L. orbital location. The FCC has received both an application for special temporary authority to relocate the DIRECTV 1R satellite to the 72.5° W.L. orbital location, and an application for amendment of DIRECTV's blanket authorization of earth stations seeking to receive direct-to-home transmissions in the United States from the 72.5° W.L. orbital location. The FCC has also received an application for special temporary authority to relocate the DIRECTV 1 satellite from 72.7° W.L. to 91° W.L. These applications will require separate action by the FCC. This exchange of letters does not constitute approval of any of these applications.

In the event of the failure of a DIRECTV satellite, and upon the exercise by DIRECTV of any contractual rights to move the DIRECTV 1 or DIRECTV 1R satellites, and in the event that there are any provisions in Telesat's license from Industry Canada, or any provisions in the Canadian laws and regulations governing the telecommunications operations of Telesat Canada that would preclude or otherwise limit the exercise of DIRECTV's contractual rights within the time frames specified in the DIRECTV/Telesat agreement, the FCC would appreciate the opportunity to consult with Industry Canada, prior to any exercise of such licensing authority, or applications of such law or regulations by Industry Canada. I would appreciate acknowledgment of these views and expression of any views which Industry Canada may have concerning the matter discussed in this paragraph. Let me also express the FCC's willingness to discuss this matter further, in the event, at a later date, it becomes necessary to do so.

Lastly, all notices, inquiries, and correspondence from Industry Canada 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 Karl.Kensinger@fcc.gov), on the part of the FCC. The FCC will forward all notices, inquiries, and correspondence concerning these matters to the Director, Space and International Regulatory Activities (phone number 613-998-3819) (e-mail: beaumier.chantal@ic.gc.ca), on the part of Industry Canada. Please let us know if this address subsequently changes.

Chantal Beaumier
March 8, 2007
Page 5

If the foregoing corresponds to your understanding of the informal arrangements between our two agencies concerning the various technical issues involved in the relocation of DIRECTV 1R to the 72.5° W.L. orbital location and operation at that location, and the relocation of DIRECTV 1 to the 91° W.L. orbital location, please confirm by return letter. Thank you.

Sincerely,



Robert G. Nelson
Chief
Satellite Division

cc: Paul Bush
Vice President, Broadcasting & Corporate Development
Telesat Canada

Michael W. Palkovic
Executive Vice President and Chief Financial Officer
DIRECTV Enterprises, LLC



Our File: 05943-1 (110214 RH)

MAR 08 2007

Robert G. Nelson
Chief, Satellite Division
International Bureau
Federal Communications Commission
Washington, D.C. 20554

Dear Mr. Nelson:

Thank you for your letter of March 08, 2007 setting out our informal common understandings concerning certain technical issues involved in the operation of Broadcasting-Satellite Service (BSS) satellites known by Telesat Canada (Telesat) and DIRECTV Enterprises, LLC (DIRECTV) as DIRECTV 1 and DIRECTV 1R.

I am pleased to provide my confirmation of our informal understandings and acknowledgement of the other views expressed in your letter. Additionally, Industry Canada acknowledges that, in the event of termination of the lease agreement owing to the failure of a DIRECTV satellite, DIRECTV's ability to use the DIRECTV 1 and DIRECTV 1R satellites at orbital positions licensed by the FCC is a private contractual matter between DIRECTV and Telesat. Nonetheless, should there be any provisions in Telesat's licence, or any provisions in the Canadian laws and regulations governing the telecommunications of Telesat Canada, that would preclude or otherwise limit the exercise of DIRECTV's contractual rights to terminate the lease and use the satellites within the time frames specified in the DIRECTV/Telesat agreement, the FCC would be informed, to the extent possible under the circumstances and the law, of the exercise of licensing authority, or application of law or regulation by Industry Canada.

...2

- 2 -

Once again, I want to express my appreciation for the support your administration is giving to this kind of commercial arrangement to facilitate the delivery of important and valuable satellite services in our respective countries.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. Beaumier".

Chantal Beaumier
Director, Space and International
Regulatory Activities

cc: Paul Bush, Telesat Canada

2. Contact	
Name: William M. Wiltshire	Phone Number: 202-730-1350
Company: Harris, Wiltshire & Grannis, LLP	Fax Number: 202-730-1301
Street: 1200 18th Street, NW	E-Mail: wwiltshire@harriswiltshire.com
City: Washington	State: DC
Country: USA	Zipcode: 20036 -
Attention: William M. Wiltshire	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	
5. Type Request	
<input checked="" type="radio"/> Change Station Location <input type="radio"/> Extend Expiration Date <input type="radio"/> Other	
7. Requested Extended Expiration Date	
6. Temporary Orbit Location	
91 W.L.	

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.)

See Exhibit A.

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
James Butterworth

11. Title of Person Signing
Senior Vice President

12. Please supply any need attachments.

Attachment 1: Exhibit A

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.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

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)	
)	
DIRECTV ENTERPRISES, LLC)	File No. _____
)	
Request for Special Temporary Authority to)	
Conduct Telemetry, Tracking and Command)	
Operations During Relocation of DIRECTV 1)	
From 72.5° W.L. to 91° W.L.)	
)	

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

DIRECTV Enterprises, LLC (“DIRECTV”) requests special temporary authority (“STA”) to conduct telemetry, tracking and command (“TT&C”) operations during the drift of the DIRECTV 1 satellite from its current orbital position at 72.5° W.L. to another Broadcasting Satellite Service (“BSS”) slot allocated to Canada at 91° W.L. DIRECTV requests that this STA become effective upon successful transfer of traffic from DIRECTV 1 to DIRECTV 1R at 72.5° W.L., and last for up to thirty (30) days thereafter. This STA will enable DIRECTV to reposition DIRECTV 1 to provide much needed redundancy to the BSS satellite fleet operated by Telesat Canada (“Telesat”).

DIRECTV 1 currently operates as a Canadian-licensed satellite pursuant to an arrangement with Telesat to use the Canadian BSS slot at 72.5° W.L. for service into the United States.¹ However, in light of technical issues related to the performance of Telesat’s satellite fleet and DIRECTV’s desire to extend its operations at 72.5° W.L., the

¹ See *DIRECTV Enterprises, LLC*, 20 FCC Red. 11772 (Int’l Bur. 2005) (“*D1 STA Order*”).

parties have entered into a further agreement under which the DIRECTV 1R satellite would be relocated from 101° W.L. to 72.5° W.L., freeing up DIRECTV 1 to migrate to 91° W.L. where it can replace DIRECTV 2, providing BSS service into Canada and also much needed redundancy for Telesat.² Because the exchange of letters between the Commission and Industry Canada covering the relocation of DIRECTV 1 to 72.5° W.L. anticipated further Commission authorization before the satellite could be moved to another orbital location,³ DIRECTV seeks the instant STA. Industry Canada has already approved the operation of both DIRECTV satellites at their new orbital locations.⁴

DIRECTV anticipates the following chain of events in connection with the repositioning of DIRECTV 1 and DIRECTV 1R. First, DIRECTV 1R will migrate to the 72.5° W.L. orbital location, where it will be “reflagged” as a Canadian satellite. Still under its Canadian license, DIRECTV 1 will be moved slightly (to 72.7° W.L.) to make room for DIRECTV 1R just prior to its arrival. Over the course of one evening, the traffic currently carried on DIRECTV 1 will be transferred to DIRECTV 1R. Once this transfer is successfully completed, DIRECTV 1 will be available to begin its migration to 91° W.L., where it would replace the aging DIRECTV 2 satellite and be used to provide service into Canada pursuant to Canadian authorization upon its arrival.

During the relocation of DIRECTV 1, the satellite’s communications payload will remain inactive and only the TT&C payload will operate. DIRECTV requests authority

² The specifics of this transaction, including the underlying agreements, are set forth in DIRECTV’s request for an STA to relocate DIRECTV 1R. *See* FCC File No. SAT-STA-20061213-00149.

³ *See DI STA Order*, Attachment 1 at p. 3 (“Operation of [DIRECTV 1] at any location other than the 72.5° W.L. orbital location, except for the short period of time noted in 2 above, will be subject to licensing by the FCC”).

⁴ *See* Letter from Jan Skora, Industry Canada, to Ted H. Ignacy, Telesat Canada (dated Jan. 18, 2007) (attached hereto).

ATTACHMENT



Our file: 46215 (105263 RH)

JAN 18 2007

Mr. Ted H. Ignacy
Chief Financial Officer
Telesat Canada
1601 Telesat Court
Gloucester, Ontario
K1B 5P4

Dear Mr. Ignacy,

I refer to your letter of November 23, 2006 seeking approval of Telesat Canada's (Telesat) plan to operate the DTV 1 and DTV 1R satellites at the 91°W and 72.5°W orbital positions, respectively. I also understand that in conjunction with this plan, Telesat's arrangement for the use of the DTV 2 satellite will terminate with the satellite returning to DirecTV.

I am pleased to provide you with the Department's approval of your plan to use, pursuant to existing authorizations issued to Telesat Canada for the use of DBS spectrum at the 91°W and 72.5°W orbital positions, namely to relocate the DTV 1 satellite to and operate it at the 91°W position and to procure and locate and operate the DTV-1R satellite at the 72.5°W orbital position.

This approval is subject to the additional conditions of licence set out in the attachment to this letter. In keeping with the June 2005 and January 2006 exchanges of letters between Industry Canada and the Federal Communications Commission of the United States respecting the operations of the DTV 1 and DTV 2 satellites, and as prescribed in the applicable conditions of licence, please ensure that advance notice is provided to Industry Canada of the termination of existing arrangements. It should also be noted that further conditions of licence may be required to give effect to any understandings developed between Industry Canada and any other administration respecting the proposed use of the satellites.

Please note that nothing in this letter shall be construed as an approval of any application submitted by Telesat Canada pursuant to Industry Canada's on-going satellite licensing initiative. A separate response from Industry Canada will deal with Telesat's request for an extension to its milestone deadline for placing a new satellite in orbit at the 72.5°W orbital position. Lastly, in the event that

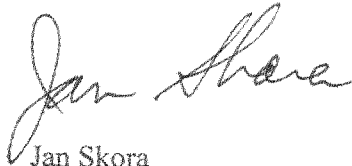
...2

- 2 -

Telesat wishes to locate its Nimiq 2 satellite at the 72.5°W orbital position, Telesat must obtain prior approval from Industry Canada.

If you have any questions regarding this letter, please contact Richard Hiebert at (613) 998-4333.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Jan Skora".

Jan Skora
Director General
Radiocommunications and
Broadcasting Regulatory Branch

Attachment

Attachment

**Licence Conditions for Telesat Canada's Use of Broadcasting Satellites
(DTV 1 and DTV 1R) at the 91°W and 72.5°W Orbital Positions**

1. Telesat shall ensure that the DTV 1 and DTV 1R spacecraft are under the direction or control of a Canadian entity as set out in section 3(3)(b) of the *Radiocommunication Act*.
2. Telesat shall take all reasonable measures, barring catastrophic failure of satellite components, to maintain the capability to de-orbit the DTV 1 and DTV 1R spacecraft to orbits consistent with *Recommendation ITU-R S.1003-1, Environmental Protection of Geostationary-Satellite Orbit*.
3. Telesat shall inform Industry Canada, through the Director, Space and International Regulatory Activities, at least four days in advance by written notice, of any planned termination or expiration of its arrangements for the use of the DTV 1 and DTV 1R satellites.
4. Telesat shall operate the satellite within the provisions of the ITU *Radio Regulations*, Canadian legislative and regulatory requirements, and Departmental spectrum policies.
5.
 - a) With respect to operation of the DTV 1 satellite at the 91°W orbital position, Telesat shall ensure that the collective operations of the satellite facilities at the 91°W orbital position are, at all times, in conformity with the Region 2 Plan of Appendices 30 and 30A of the ITU *Radio Regulations*
 - b) With respect to operation of the DTV 1R satellite at the 72.5°W orbital position, until such time as Canada has successfully modified the Region 2 Plan of Appendices 30 and 30A of the ITU *Radio Regulations*, Telesat shall operate the satellite in conformity with the Region 2 Plan.
 - c) Notwithstanding 5(a) and 5(b) above, to the extent that operations do not conform with the Region 2 Plan, such operations shall be on a no interference, no protection basis.
6. All other conditions of licence respecting Telesat's use of the broadcasting satellite spectrum at the 91°W and 72.5°W orbital positions shall apply to the operation of these satellites.