

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

In the Matter of Application of)	
)	
SES AMERICOM, INC.)	File No. SAT-STA-_____
)	Call Sign S2134
For Special Temporary Authority to)	
Relocate AMC-2 to 4.98° E.L.)	

APPLICATION

SES Americom, Inc. (“SES Americom,” doing business as “SES”) hereby respectfully requests special temporary authority for a period of sixty days beginning on October 15, 2011 to perform Telemetry, Tracking and Control (“TT&C”) in order to relocate the AMC-2 C/Ku-band hybrid satellite from 78.95° W.L. to 4.98° E.L. SES will not operate the AMC-2 communications payload during the proposed relocation. Grant of the requested authority will serve the public interest by allowing SES to redeploy AMC-2 to a location where it can introduce new service in the C-band and additional Ku-band frequencies ahead of the launch of the SES-5 satellite,¹ which has been delayed.

In May, SES Americom and its commonly-owned affiliate SES ASTRA AB² (“ASTRA AB”) filed a joint application to request Commission consent to the transfer of control of the AMC-2 satellite from U.S. licensing authority to Swedish licensing authority for

¹ The SES-5 satellite is also known as ASTRA-4B and was originally named SIRIUS 5. See Press Release, *SES Orders New SIRIUS 5 Satellite from Loral* (Oct. 10, 2008), <http://www.ses-astra.com/business/en/news-events/press-archive/2008/08-10-09/index.php>.

² SES ASTRA AB was formerly known as SES SIRIUS AB. See Press Release, *SES SIRIUS Becomes SES ASTRA* (Jun. 23, 2010), <http://www.ses-astra.com/business/en/news-events/news-latest/index.php?pressRelease=/pressReleases/pressReleaseList/10-06-22/index.php>.

operations at the nominal 5° E.L. orbital location.³ ASTRA AB has all necessary authority from the Swedish Post and Telecommunications Agency (the “PTS”) to operate AMC-2 at 4.98° E.L. pursuant to Swedish filings submitted with the International Telecommunication Union.⁴

Pending action on the AMC-2 Transfer Application, SES proposes to commence relocation of AMC-2 to 4.98° E.L. If authorized to redeploy AMC-2, SES will do so at its own risk and understands that such authority would be without prejudice to any action the Commission ultimately may make regarding the AMC-2 Transfer Application. As discussed herein, grant of the requested authority is consistent with Commission precedent⁵ and will serve the public interest.

AMC-2 is a hybrid C/Ku-band satellite that was launched in 1997 and currently operates pursuant to Commission authority at the nominal 79° W.L. location,⁶ where it is collocated with AMC-5, a Ku-band only satellite.⁷ ASTRA AB had planned to augment its existing services at the nominal 5° E.L. position with the new SES-5 satellite at the end of 2011. Due to delays in manufacturing and launch manifests, however, the launch of SES-5 is likely to

³ See *SES Americom, Inc. and SES ASTRA AB*, Call Sign S2134, File No. SAT-T/C-20110527-00100 (“AMC-2 Transfer Application”) and Letter of Karis A. Hastings, Counsel for SES Americom, Inc. to Marlene H. Dortch dated Aug. 19, 2011 (“AMC-2 Supplemental Letter”).

⁴ See AMC-2 Transfer Application at 1-2, Annex 1; Letter from Helena Åkerlund, Head of the Fixed Radio and Satellite Unit, Swedish Post and Telecom Agency, to SES ASTRA AB dated Aug. 15, 2011, submitted as an attachment to the AMC-2 Supplemental Letter.

⁵ The Commission has routinely authorized operators to commence relocation of a satellite pending a request to transfer licensing authority to a foreign jurisdiction. See, e.g., *Intelsat North America LLC*, Call Sign S2159, File No. SAT-STA-20100105-00004 (grant-stamped Mar. 11, 2010) (authorizing Intelsat to drift Galaxy 27 from 129° W.L. to 45.10° E.L. pending action on the related application to transfer Galaxy 27 from U.S. licensing authority to German licensing authority).

⁶ See *SES Americom, Inc.*, Call Sign S2134, File Nos. SAT-MOD-20100324-00056, grant-stamped June 21, 2010, & SAT-MOD-20101215-00261, grant-stamped March 8, 2011.

⁷ See *SES Americom, Inc.*, Call Sign S2156, File No. SAT-MOD-20100706-00154, grant-stamped Jan. 20, 2011.

be delayed beyond its planned commencement of service date.⁸ The proposed relocation of AMC-2 to the nominal 5° E.L. orbital location will allow expansion of service from that orbital location pending the successful launch of SES-5. No customers of AMC-2 will be adversely affected, as they will have been transferred to other satellites prior to the contemplated relocation.⁹

As noted in the AMC-2 Supplemental Letter, the Commission has repeatedly observed that its policy is to allow “satellite operators to rearrange satellites in their fleet to reflect business and customer considerations where no public interest factors are adversely affected.”¹⁰ Consistent with this policy, the Commission has authorized satellite operators to configure or reconfigure their fleets in order to satisfy customer demand, including demand for capacity outside the U.S. For example, the Commission has authorized U.S. licensees to relocate satellites from orbital positions over the U.S. to locations without U.S. coverage in order to respond to existing or potential demand for capacity.¹¹ Similarly, the Commission has granted U.S. licenses to operators for satellites at locations from which no U.S. coverage is planned or

⁸ See AMC-2 Supplemental Letter at 4 (delays suggest that SES-5 may not be launched until March 2012).

⁹ See *id.* (AMC-2 customers are being transferred to the SES-1 and AMC-3 satellites).

¹⁰ *SES Americom, Inc.*, Order and Authorization, DA 06-757 (IB rel. Apr. 7, 2006) at 4, ¶ 8, citing *Amendment of the Commission’s Space Station Licensing Rules and Policies*, Second Report and Order, 18 FCC Rcd 12507, 12509, ¶ 7 (2003).

¹¹ See, e.g., *Intelsat North America LLC*, Call Sign S2159, File No. SAT-T/C-20100112-00009, grant-stamped July 30, 2010 (transferring Galaxy 27 from U.S. licensing authority to German licensing authority for operations at 45.10° E.L. following relocation from 129° W.L.); *PanAmSat Licensee Corp.*, Call Sign S2253, File No. SAT-MOD-20080225-00051, grant-stamped July 22, 2008 (authorizing relocation of Galaxy 11 from 91° W.L. to 32.80° E.L. in order to supplement service provided there by Intelsat 802, which had suffered an anomaly that reduced its available power); *AMSC Subsidiary Corp.*, Order and Authorization, 13 FCC Rcd 12316 (IB 1998) (authorizing AMSC to relocate its satellite away from 101° W.L. in order to provide service to southern Africa).

possible.¹² The proposal to redeploy AMC-2 fits squarely within this existing precedent allowing licensees to determine the most efficient use of the space stations.

Relocation of AMC-2 to 4.98° E.L. will not harm other satellite operators. During the relocation, SES will not operate the communications payload on AMC-2, and SES will follow standard industry practices for coordination of TT&C transmissions during the relocation process.¹³ SES will operate the satellite subject to the following conditions during the relocation maneuvers:

1. SES will coordinate all drift operations with other potentially affected in-orbit operators.
2. Drift operations will be on a non-harmful interference basis, meaning that SES will not cause interference to, and will not claim protection from, interference caused to it by any other lawfully operating satellites.
3. In the event that any harmful interference is caused as a result of relocation operations, SES will cease operations immediately upon notification of such interference and will inform the Commission immediately, in writing, of such event.

SES 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.

¹² See, e.g., *Afrispace, Inc.*, Order and Authorization, 21 FCC Rcd 7 (IB 2006) (authorizing launch and operation of AfriStar-2 satellite for service to Africa and Europe from 21° E.L.); *Assignment of Orbital Locations to Space Stations in the Ka-Band*, Order, DA 96-708 (IB 1996) (assigning 33 orbital locations between 62° W.L. and 175.25° E.L. to 13 Ka-band applicants, finding that the public interest would be served by authorizing international operations pending the development of policies for Ka-band satellite service within the U.S.).

¹³ During the drift from 78.95° W.L. to 4.98° E.L., SES will use the following frequencies for TT&C:

Command: 6423.5 MHz

Telemetry: 3700.5 MHz, 4199.5 MHz & 12198 MHz

SES 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 respectfully requests STA to perform TT&C in order to drift AMC-2 from 78.95° W.L. to 4.98° E.L. beginning on October 15, 2011.

Respectfully submitted,

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