

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

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

APPLICATION

SES Americom, Inc. (“SES Americom,” doing business as “SES”) hereby respectfully requests special temporary authority (“STA”) for a period of sixty days to operate the AMC-2 C/Ku-band hybrid satellite upon its arrival at 4.98° E.L. SES is separately seeking STA to perform Telemetry, Tracking and Control (“TT&C”) in order to relocate AMC-2 from 78.95° W.L. to 4.98° E.L. The instant STA request seeks authority to operate AMC-2’s TT&C and communications payloads once the satellite has reached 4.98° E.L. 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.

SES is preparing to file a modification application to reassign AMC-2 to 4.98° E.L. for operations in accordance with the International Telecommunication Union (“ITU”) filings of the Swedish Administration.² Pending submission of and action on the modification,

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 The modification will supersede the request filed earlier this year to transfer AMC-2 from U.S. licensing authority to Swedish licensing authority for operations at the nominal 5° E.L. orbital location, File No. SAT-T/C-20110527-00100. SES has withdrawn the AMC-2 transfer of

SES is seeking authority to allow it to relocate AMC-2 to 4.98° E.L. and operate it there upon arrival. 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 application to reassign AMC-2 to 4.98° E.L. As discussed herein, grant of the requested authority is consistent with Commission precedent³ 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 FCC authority at the nominal 79° W.L. location,⁴ where it is collocated with AMC-5, a Ku-band only satellite.⁵ SES Americom's commonly-owned affiliate SES ASTRA AB⁶ ("ASTRA AB") operates satellites at the nominal 5° E.L. position pursuant to Swedish authority⁷ and had planned to augment existing services 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

control application and associated submissions. *See* WTH2011101790738380 (withdrawal of AMC-2 transfer of control application); WTH2011101791252966 (withdrawal of STA request for drift of AMC-2 to 4.98° E.L. pending action on transfer of control application).

³ The Commission has routinely authorized operators to commence operations at a new location pending a request to reassign the satellite. *See, e.g., SES Americom, Inc., Call Sign S2135*, File No. SAT-STA-20100525-00108 (grant-stamped July 28, 2010) (authorizing SES to commence operations of AMC-4 at 67° W.L. pending action on the related modification application to reassign the satellite from 101° W.L. to 67° W.L.).

⁴ *See* File Nos. SAT-MOD-20100324-00056 (grant-stamped June 21, 2010) & SAT-MOD-20101215-00261 (grant-stamped March 8, 2011).

⁵ *See* File No. SAT-MOD-20100706-00154, call sign S2156 (grant-stamped Jan. 20, 2011). SES recently requested authority to relocate AMC-5 to 80.9° W.L. for operations pursuant to Argentine ITU filings. *See* File No. SAT-MOD-20110929-00192.

⁶ 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>.

⁷ For example, ASTRA 4A is at the nominal 4.8° E.L. orbital location, and ASTRA 1E is at the nominal 5.0° E.L. orbital location. ASTRA 1E will be relocated prior to the arrival of AMC-2, so there will be no overlap of the two satellites' stationkeeping volume. ASTRA 4A operates in the 11.7-12.75 GHz, 14.0-14.25 GHz, 17.3-18.1 GHz, 18.8-19.3 GHz, 19.7-19.95 GHz, 21.5-21.75 GHz, 29.15-29.4 GHz and 29.5-30.0 GHz bands, and ASTRA 1E operates in the 10.7-11.2 GHz and 11.45-12.1 GHz, 12.75-13.25 GHz, 14.0-14.25 GHz and 17.3-17.7 GHz bands. Both ASTRA 4A and ASTRA 1E operate pursuant to ITU filings submitted by Sweden.

likely to be delayed beyond its planned commencement of service date. 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 have been transferred to other satellites in anticipation of the planned relocation.

Grant of the requested authority to operate AMC-2 will serve the public interest and is consistent with Commission precedent. 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.”⁸ As the International Bureau has explained:

the Commission attempts, when possible, to leave spacecraft design decisions to the space station licensee because the licensee is in a better position to determine how to tailor its system to meet the particular needs of its customers. Consequently the Commission will generally grant a licensee’s request to modify its system, provided there are no compelling countervailing public interest considerations.⁹

Pursuant to this policy, the Commission has routinely 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.

⁸ *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).

⁹ *AMSC Subsidiary Corp.*, Order and Authorization, DA 98-493, 13 FCC Rcd 12316 (IB 1998) (“*AMSC Modification Order*”) at 12318, ¶ 8 (footnote omitted). Although AMSC never implemented the relocation authorized in this case, the Commission has repeatedly reaffirmed its policy of allowing licensees to change their fleet configurations to accommodate customer requirements. See, e.g., *Space Station Licensing Rules and Policies*, First Reconsideration Order and Fifth Report and Order, FCC 04-147, 19 FCC Rcd 12637, 12653, ¶ 39 (“we generally permit licensees to modify their systems to adapt to changing business and customer needs,” citing *AMSC Modification Order* and other cases).

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.¹⁰ Similarly, the Commission has granted U.S. licenses to operators for satellites at locations from which no U.S. coverage is planned or possible.¹¹

Here, the proposed change will allow SES to make efficient use of AMC-2 in order to expand the available capacity at the nominal 5° E.L. orbital location. Because SES has already transferred customers that had been using AMC-2 at the nominal 79° W.L. orbital location, the relocation of AMC-2 will not have any impact on existing services.

Relocation of AMC-2 to 4.98° E.L. will not adversely affect other operators. The proposed stationkeeping volume will not overlap with that of any other spacecraft. SES will operate only the TT&C frequencies of AMC-2 during the drift.¹² SES will follow standard industry practices for coordination of TT&C transmissions during the relocation process.

Once AMC-2 arrives at 4.98° E.L., SES will operate the satellite pursuant to Swedish ITU filings and in conformance with Sweden's coordination agreements regarding that

¹⁰ See, e.g., *Intelsat North America LLC*, Call Sign S2159, File No. SAT-T/C-20100112-00009, grant-stamped July 30, 2010 (authorizing Intelsat to relocate Galaxy 27 from 129° W.L. to 45.10° E.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 Modification Order* (authorizing AMSC to relocate its satellite away from 101° W.L. in order to provide service to southern Africa).

¹¹ See, e.g., *Afrispace, Inc.*, Order and Authorization, DA 06-4, 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.).

¹² The AMC-2 TT&C frequencies are as follows:

Command: 6423.5 MHz (horizontal polarization; uplink)

Telemetry: 3700.5 MHz (horizontal polarization; downlink), 4199.5 MHz (vertical polarization; downlink), and 12198.0 MHz (horizontal polarization; downlink).

location. Attached hereto is a technical appendix that includes beam contour maps for the proposed AMC-2 operations at 4.98° E.L. SES recognizes that any grant of operational authority will be subject to standard conditions imposed by the Commission to ensure compliance with ITU regulations and to prevent harmful interference.

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. 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 operate AMC-2 upon its arrival at 4.98° E.L.

Respectfully submitted,

SES AMERICOM, INC.

By: /s/ Daniel C. H. Mah

Daniel C. H. Mah
Regulatory Counsel
SES Americom, Inc.
Four Research Way
Princeton, NJ 08540

Of Counsel
Karis A. Hastings
SatCom Law LLC
1317 F Street, N.W., Suite 400
Washington, D.C. 20004

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TECHNICAL APPENDIX

Figure 1

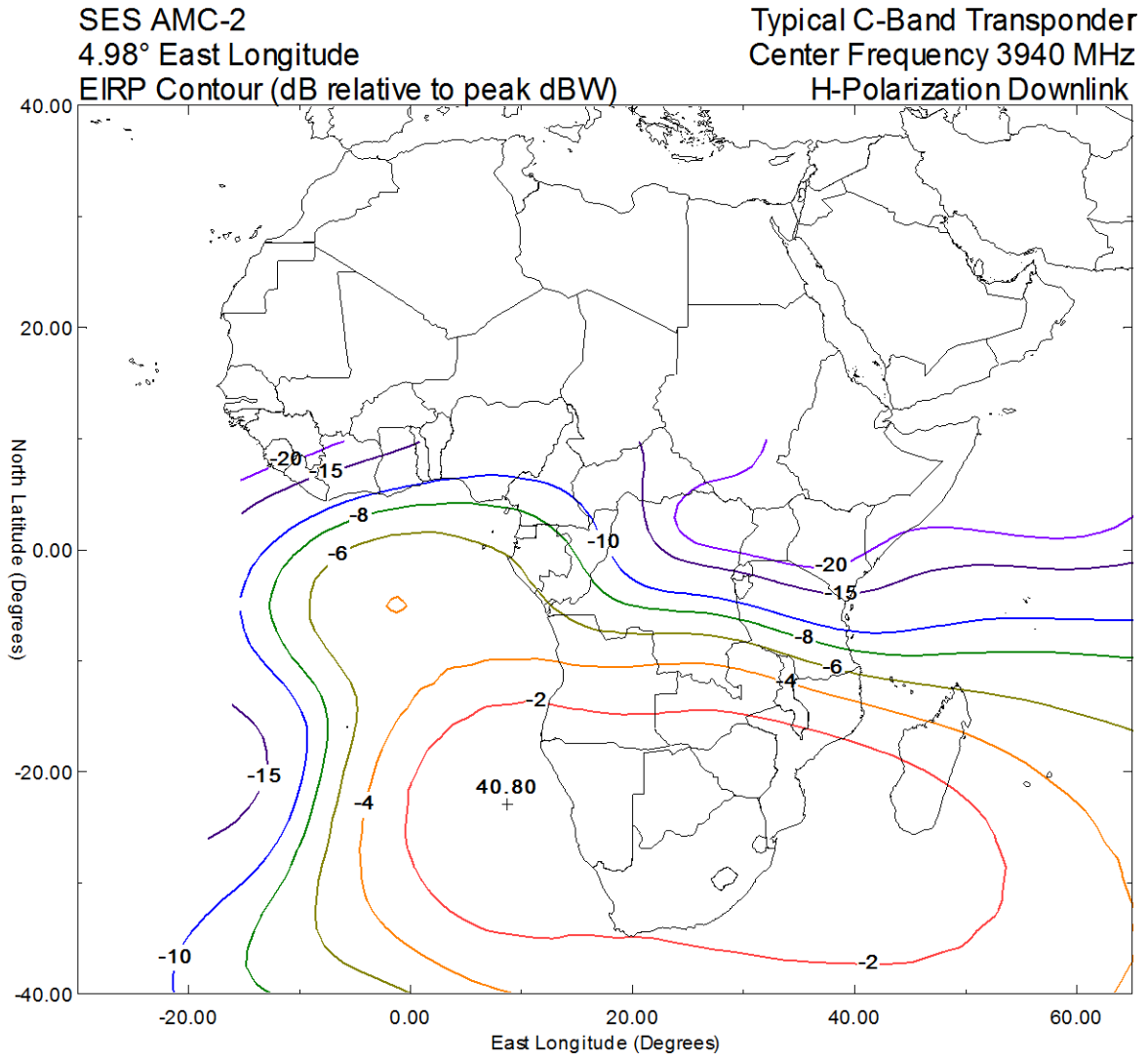


Figure 2

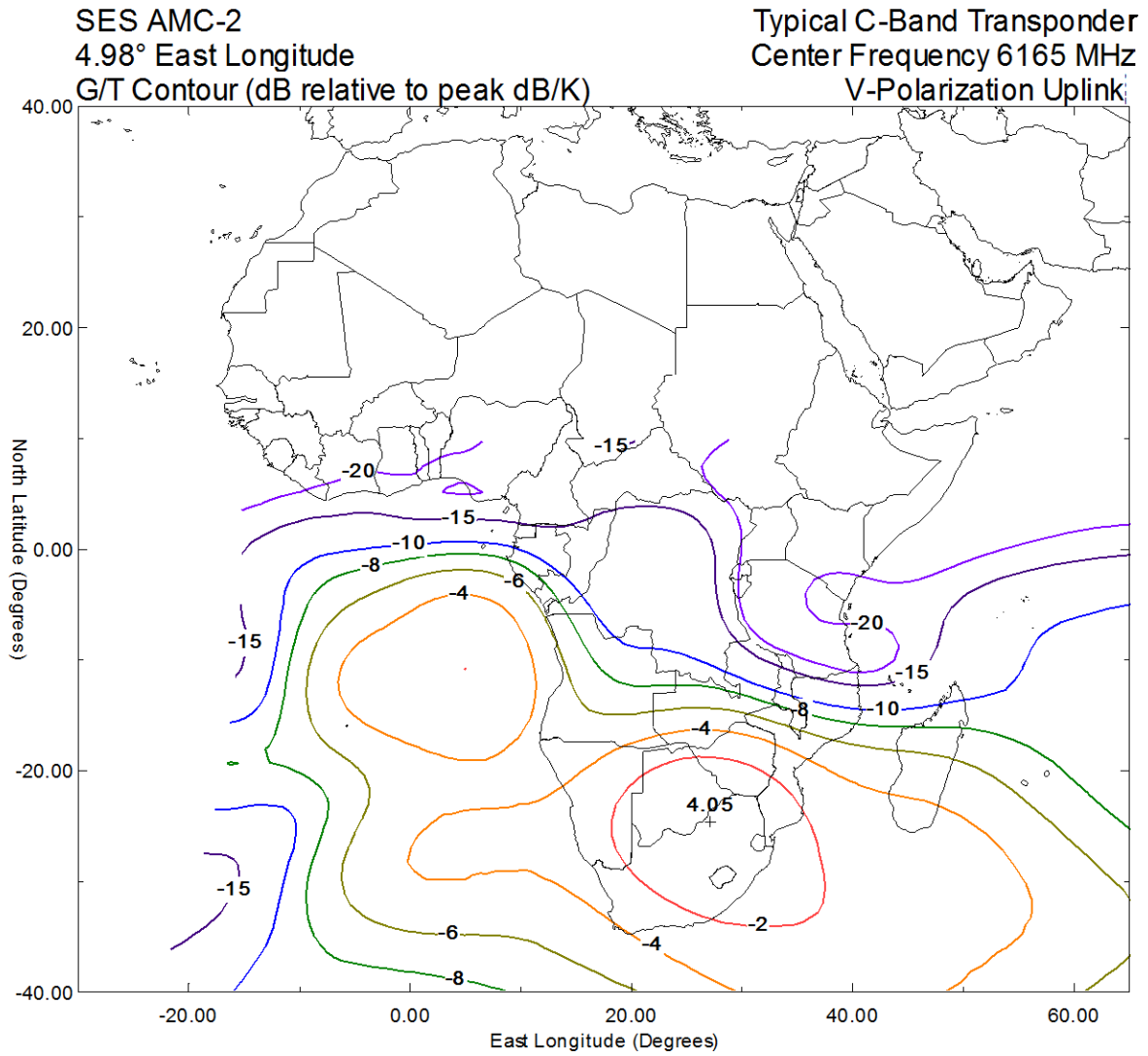


Figure 3

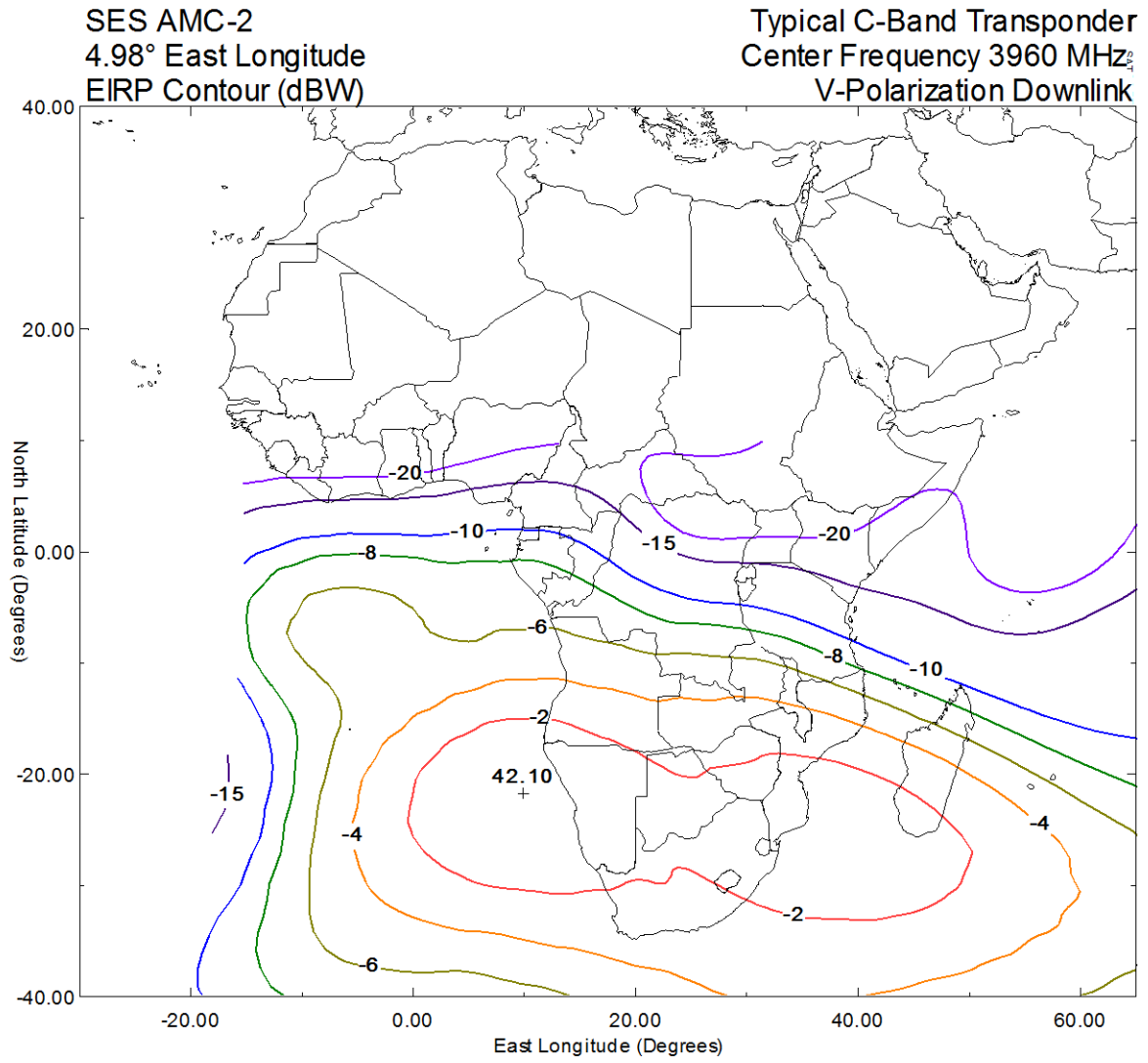


Figure 4

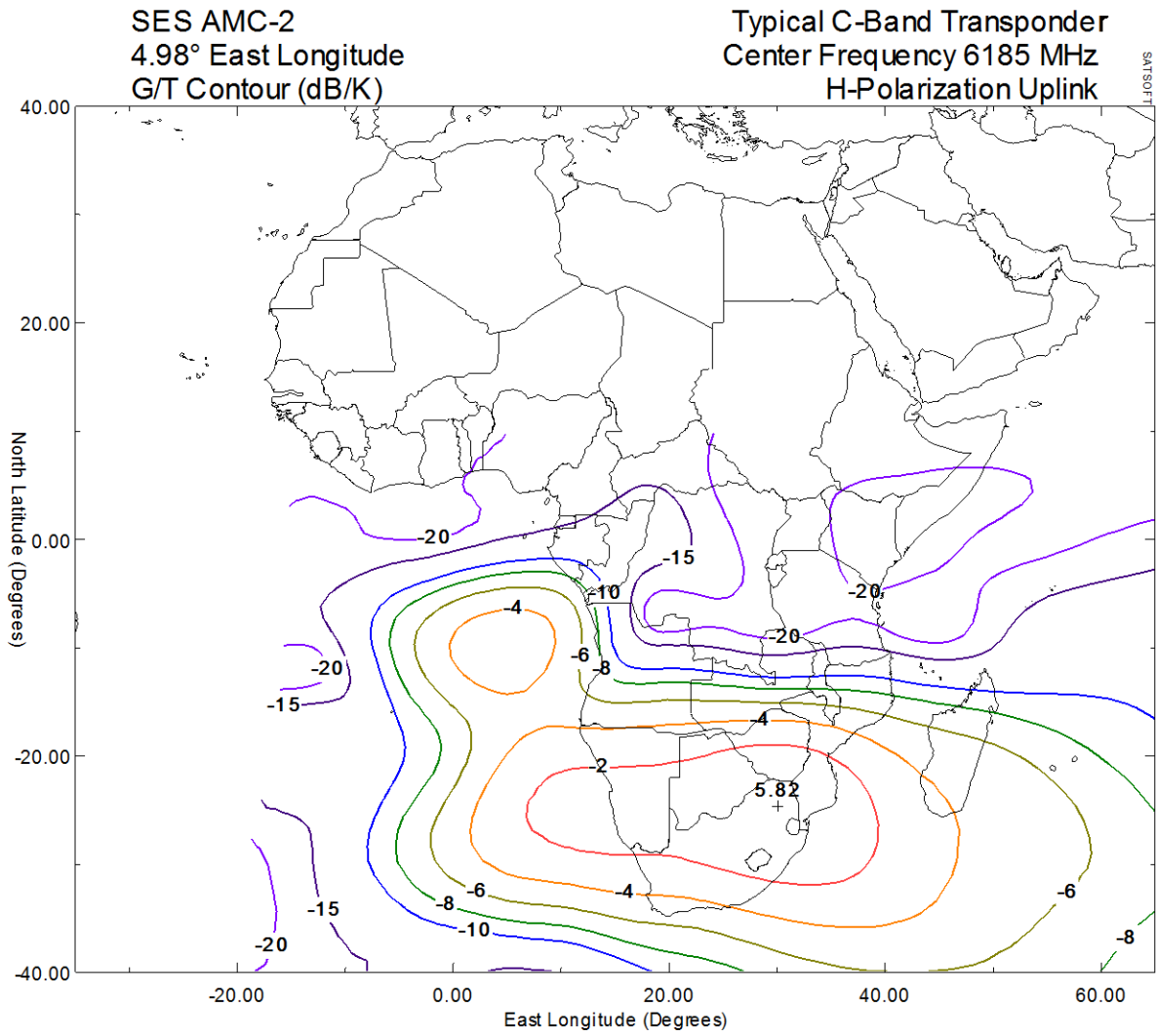


Figure 5

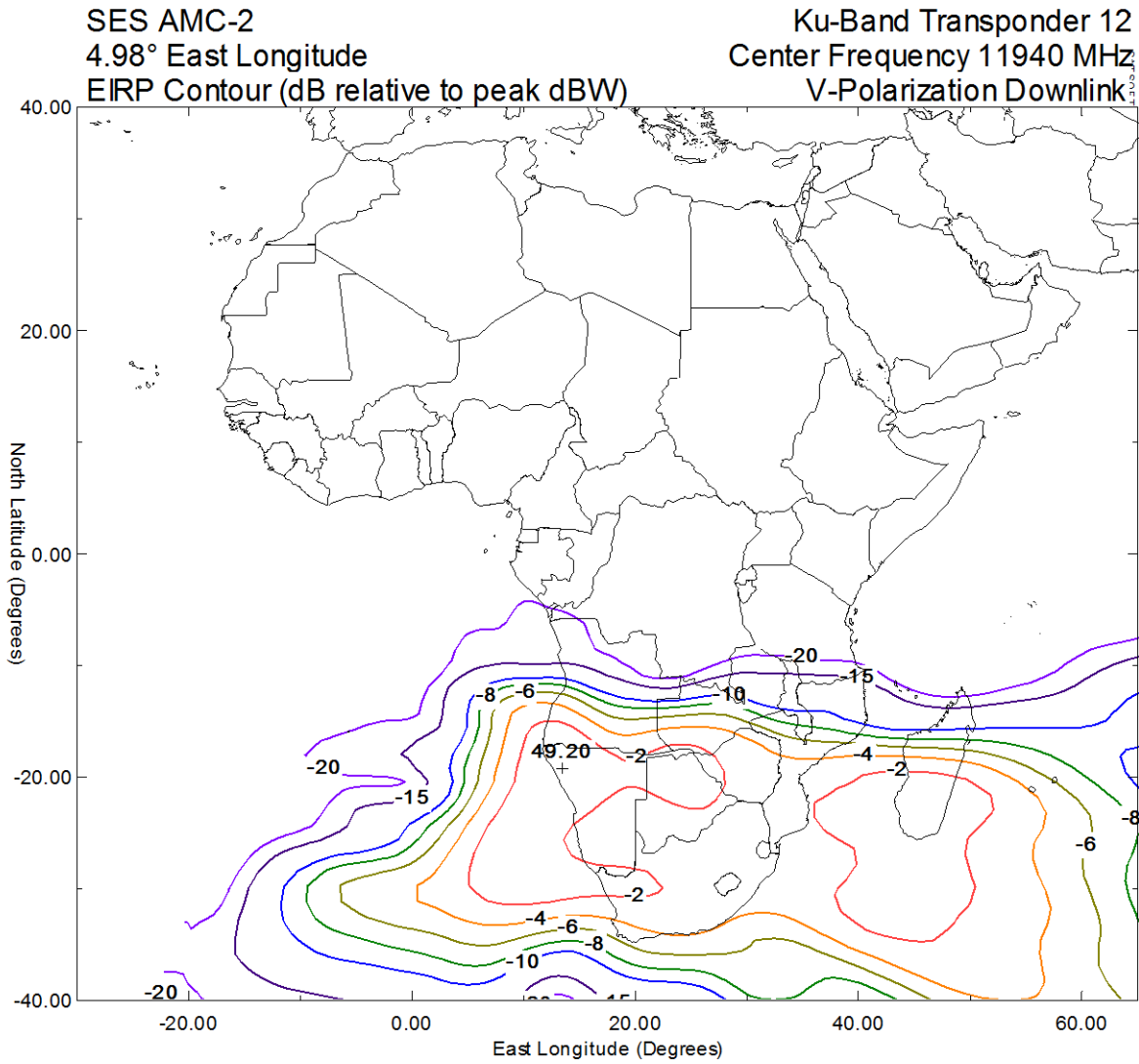


Figure 6

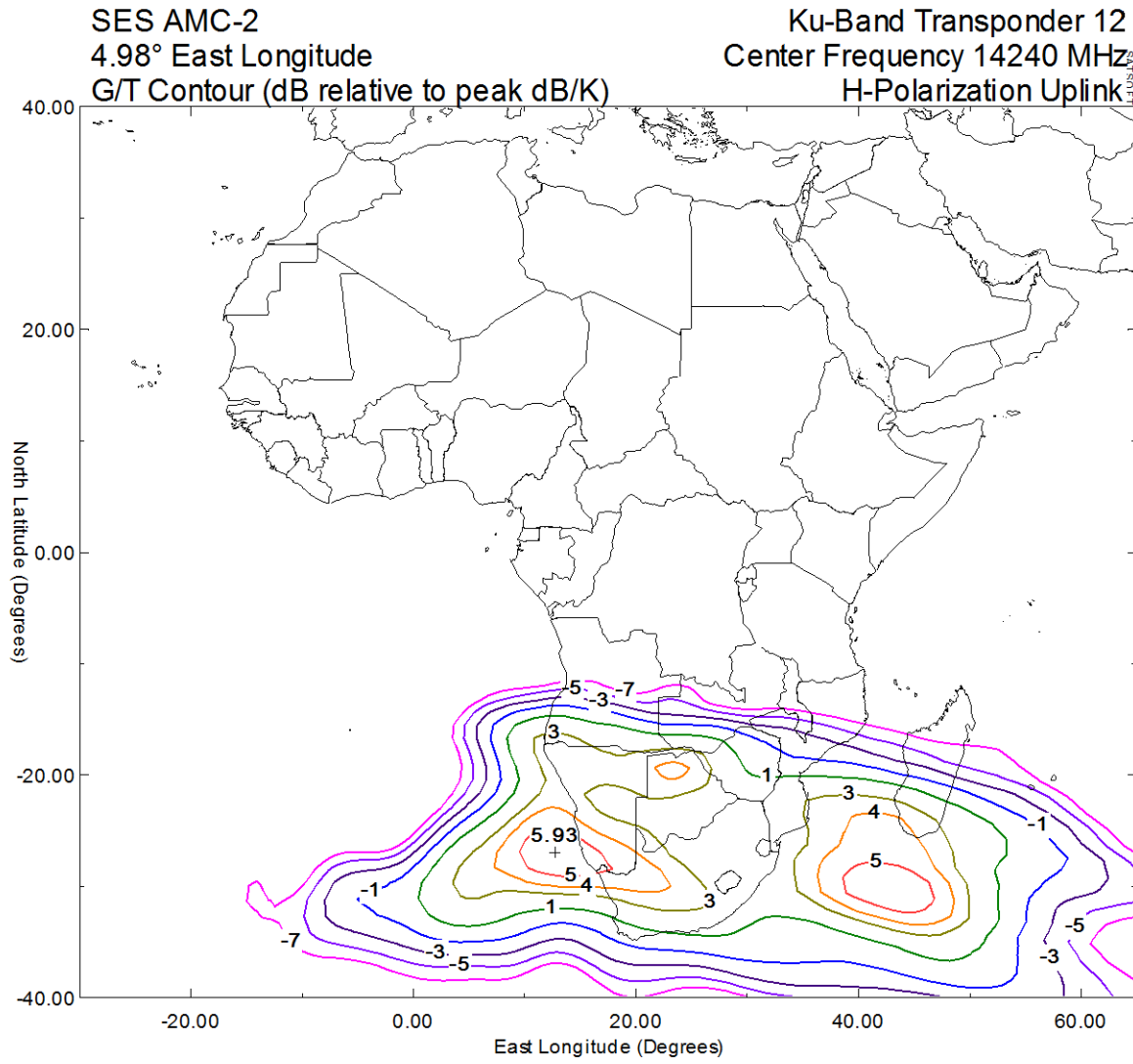


Figure 7

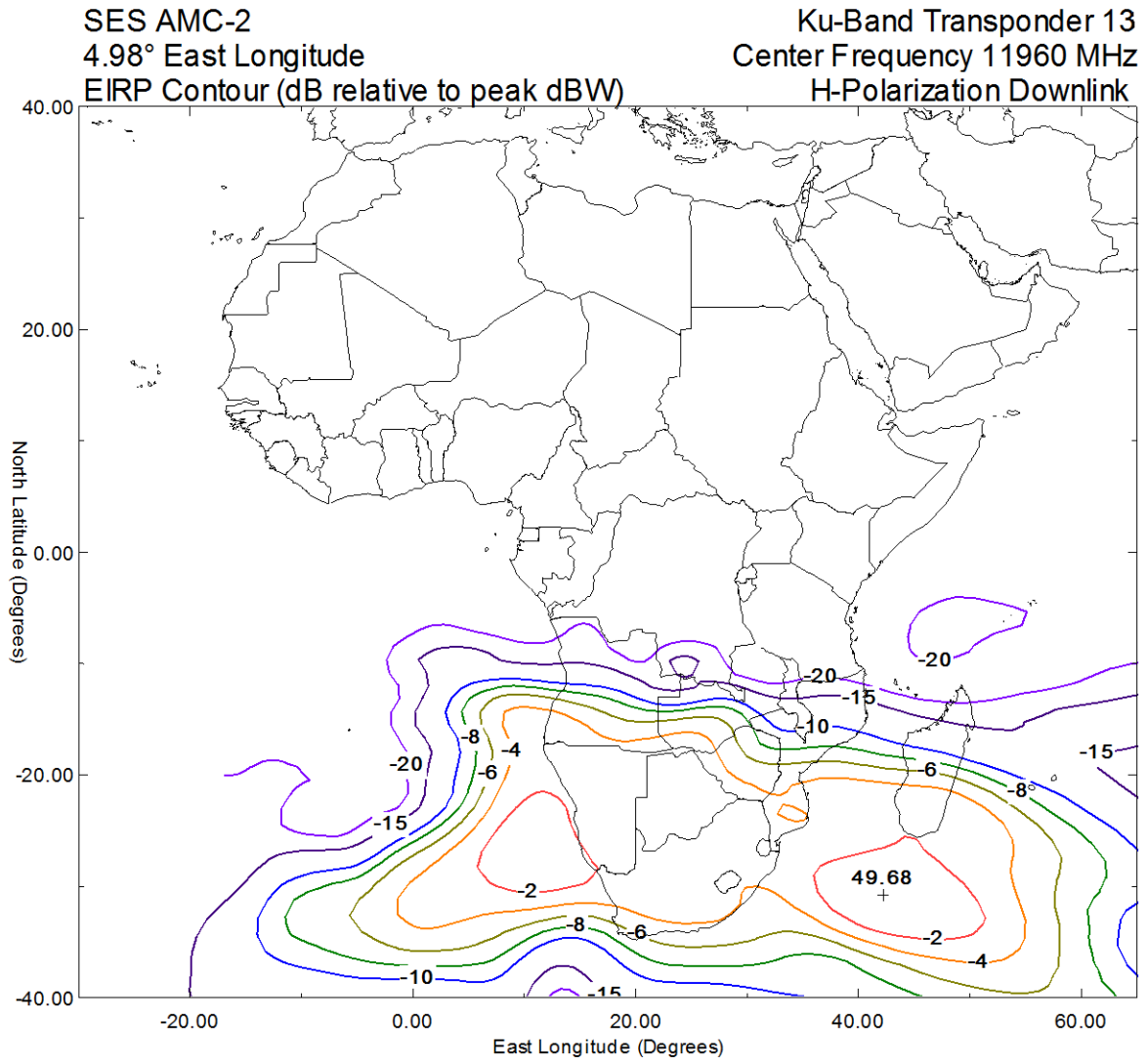
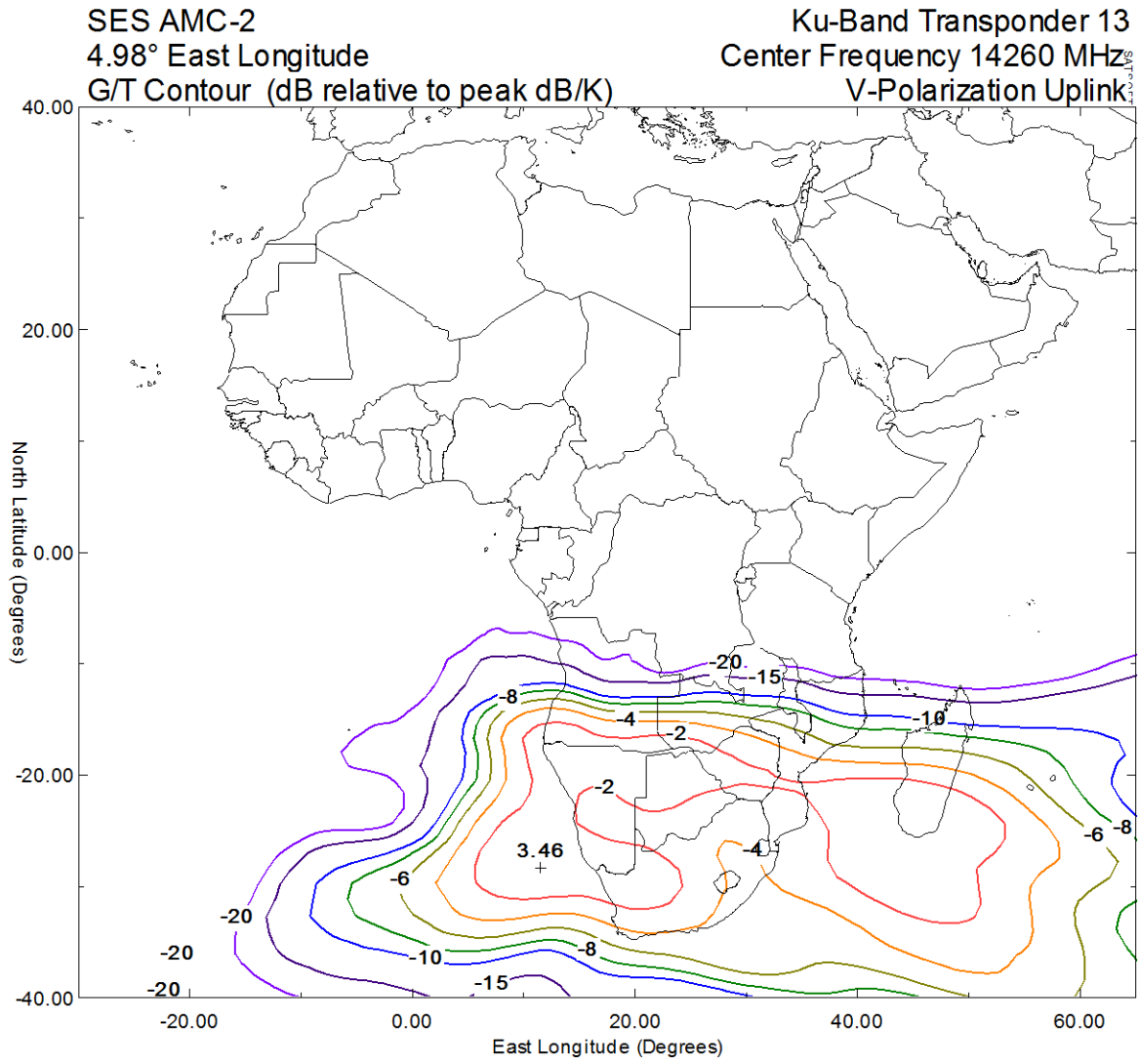


Figure 8



DECLARATION OF KRISH JONNALAGADDA

I, Krish Jonnalagadda, hereby certify under penalty of perjury that I am the technically qualified person responsible for preparation of the technical information contained in the foregoing exhibit; that I am familiar with the technical requirements of Part 25; and that I either prepared or reviewed the technical information contained in the exhibit and that it is complete and accurate to the best of my knowledge, information and belief.

/s/ Krish Jonnalagadda
SES Americom, Inc.

Dated: October 17, 2011