

S2134 SAT-STA-20130225-00025 IB2013000462
SES Americom, Inc.
AMC-2



File # SAT-STA-20130225-00025

Call Sign 32134 Grant Date 03/22/13

(or other identifier)

Term Dates period of From 04/01/13 To 60 days

Approved by OMB 3060-0678

Approved: *Stephen J. Duall*
Stephen J. Duall
Chief, Satellite Policy Branch

Date & Time Filed: Feb 25 2013 10:25:36:230PM
File Number: SAT-STA-20130225-00025
Callsign:

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
STA to relocate and operate AMC-2 at 80.85W

1. Applicant

Name:	SES Americom, Inc.	Phone Number:	202-478-7137
DBA Name:		Fax Number:	202-478-7101
Street:	1129 20th Street NW Suite 1000	E-Mail:	daniel.mah@ses.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -
Attention:	Mr Daniel C.H. Mah		

**Attachment to Grant
SES Americom, Inc.
IBFS File No. SAT-STA-20130225-00025
Call Sign S2134**

The application of SES Americom, Inc. (SES Americom), IBFS File No. SAT-STA-20130225-00025, for special temporary authority IS GRANTED. Accordingly, SES Americom is authorized, for a period of 60 days commencing on April 1, 2013, to conduct Telemetry, Tracking, and Command (TT&C) operations necessary to drift the AMC-2 space station (Call Sign S2134) from the 19.2 ° E.L. orbital location to the 80.85° W.L. orbital location using the following center frequencies: 3700.5 MHz and 4199.5 MHz (space-to-Earth); and 6423.5 MHz (Earth-to-space). SES Americom is also authorized to conduct TT&C operations necessary to maintain AMC-2 at 80.85° W.L. using the same center frequencies and to provide Fixed-Satellite Service at the 80.85° W.L. orbital location using the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 11.7-12.2 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands. In addition, SES Americom is authorized to provide Direct-to-Home Fixed-Satellite Service via AMC-2 at 80.85° W.L. in the 11.7-12.2 GHz band. Operations of the AMC-2 space station must be in accordance with the technical specifications set forth in its application and the Federal Communication Commission's rules, and are subject to the following conditions:

1. All operations during the drift to the 80.85° W.L. orbital location must be on an unprotected and non-harmful interference basis, *i.e.* SES Americom must not cause harmful interference to, and must not claim protection from interference caused to it by, any other lawfully operating stations.
2. In the event of any harmful interference during AMC-2's drift to 80.85° W.L. or while operating at that location, SES Americom must cease operations immediately upon notification of such interference, and must inform the Commission, in writing, immediately of such an event.
3. During the drift to the 80.85° W.L. orbital location, SES Americom must not operate the communications payload on AMC-2.
4. SES Americom is granted a waiver of Section 25.210(j) of the Commission's rules, 47 C.F.R. § 25.210(j). Section 25.210(j) requires geostationary space stations to be maintained within +/-0.05 degrees of their assigned orbital longitude in the east-west direction, unless specifically authorized by the Commission to operate with a different longitudinal tolerance. SES Americom proposes to operate AMC-2 with an east-west station-keeping tolerance of +/- 0.15 degrees, within a combined station-keeping volume with AMC-5 (Call Sign S2156).¹ SES Americom states that this proposed station-keeping for AMC-2 and AMC-5 will not overlap with the proposed station-keeping volume of any other spacecraft. It also states that a station-keeping tolerance of +/- 0.15 degrees will enable both spacecraft to be operated safely in their inclined orbits while conserving fuel for future operations.² We agree that that increasing the station-keeping volume of the AMC-2 space craft will not adversely affect the operations of other spacecraft, will conserve fuel for future operations, and will facilitate coordinated operation of AMC-2 and AMC-5 in the same station-keeping volume. Accordingly, SES Americom is authorized to operate the AMC-2 space station with an east-west station-keeping tolerance of +/-0.15 degrees of 80.85° W.L., provided no other spacecraft (other than AMC-5) is located within the same station-keeping volume of AMC-2. This waiver and the operations it permits will terminate in the event a spacecraft is launched or relocated into a location such that its station-keeping volume would overlap AMC-2's +/- 0.15 degree station-keeping volume, but not overlap AMC-2's +/- 0.05 degree station-

¹ AMC-5 is currently authorized to operate at 80.9° W.L. with an east-west station-keeping tolerance of +/- 0.1 degrees. See IBFS File No. SAT-MOD-20110929-00192 (granted Feb. 24, 2012). SES Americom has also requested special temporary authority to operate AMC-5 with an east-west station-keeping tolerance of +/- 0.15 degrees of the 80.85° W.L. orbital location. See IBFS File No. SAT-STA-20130322-00051 (filed Mar. 22, 2013).

² In its request for special temporary authority, SES Americom incorporates by reference the information filed in IBFS File No. SAT-MOD-20130225-00024 (filed Feb. 25, 2013).

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keeping tolerance, unless SES Americom successfully coordinates AMC-2's physical operations with those of the other spacecraft. This waiver is limited to AMC-2 and does not extend to any replacement space craft. Our action here is consistent with our precedent.³

3. SES Americom must maintain full operational control of AMC-2 at all times.
4. This authorization is issued on the express understanding that, to the extent SES Americom and its affiliated companies, pursuant to any arrangement with EMPRESA ARGENTINA DE SOLUCIONES SATELITALES SOCIEDAD ANONIMA AR-SAT, and its affiliated companies, will conform its operations to any parameters agreed to in coordination agreements between the Administration of Argentina and other Administrations, responsibility for both compliance with, and enforcing compliance with, those arrangements and agreements is a matter that would arise under private law.
5. This authorization is issued with the understanding that this grant is not an approval of any specific arrangement entered into by SES Americom, its subsidiaries and affiliates, nor of any specific provision of any such arrangement concerning operation of the AMC-2 space station, nor is this grant an approval of an arrangement/agreement concerning any related matter, nor of any specific provision of any such arrangement/agreement concerning any related matter.
6. This authorization is issued with the understanding that the United States remains the licensing Administration of the AMC-2 space station and its communications payloads, for purposes of International Telecommunication Union (ITU) Radio Regulation 18.1, and that any operations of AMC-2 at the 80.85° W.L. orbital location are pursuant to ITU Radio 4.4.
7. This authorization is issued with the understanding that, with respect to its filings with the ITU for the 80.85° W.L. orbital location, the Administration of Argentina is not acting pursuant to Article 9 of the Radio Regulations on behalf of the United States Administration.
8. This authorization is issued with the understanding that this grant does not in any way express a view concerning, or agreement as to, the validity or lack of validity of any ITU filing at or in the vicinity of the 80.85° W.L. orbital location.
9. In connection with the provision of service in any particular country, SES Americom is obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that country.
10. Grant of this authorization is without prejudice to any determination that the Commission may make regarding SES Americom's pending application to modify the license for the AMC-2 space station to specify operations at the 80.85° W.L. orbital location (IBFS File No. SAT-MOD-20130225-00024).
11. Any action taken or expense incurred as a result of operations pursuant to this grant of special temporary authority is at SES Americom's own risk.
12. SES Americom has 30 days from the date of this grant to decline this authorization as conditioned. Failure to respond within that period will constitute formal acceptance of the authorization as conditioned.

³ SES Americom, Inc. Application for Modification of SatCom SN-4 Fixed Satellite Space Station License, *Order and Authorization*, 20 FCC Rcd 11542, 11545 (Sat. Div., Int'l Bur. 2005).

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13. This action is issue 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.

 GRANTED* International Bureau *with conditions	File # <u>SAT-STA-20130225-00025</u>
	Call Sign <u>S2134</u> Grant Date <u>03/22/13</u> (or other identifier)
	Term Dates period of From <u>04/01/13</u> To: <u>60 days</u>
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

2. Contact

Name:	Karis Hastings	Phone Number:	202-599-0975
Company:	SatCom Law LLC	Fax Number:	
Street:	1317 F Street, N.W. Suite 400	E-Mail:	karis@satcomlaw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20004 -
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 SATMOD2013022500024 or Submission ID

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
80.85 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.)

Request for STA to relocate AMC-2 to 80.85 W.L. +/- 0.15 degrees and to operate there pending grant of modification application to re-assign AMC-2. See Legal Narrative (attached) and File No. SAT-MOD-20130225-00024, Call Sign S2134.

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
Daniel C.H. Mah

11. Title of Person Signing
Regulatory Counsel

12. Please supply any need attachments.

Attachment 1: STA Request

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

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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 of)	
)	
SES AMERICOM, INC.)	File No. SAT-STA-_____
)	Call Sign S2134
For Special Temporary Authority to)	
Relocate AMC-2 to 80.85° W.L. +/- 0.15 degrees)	

APPLICATION OF SES AMERICOM, INC.

SES Americom, Inc. (“SES Americom,” doing business as “SES”) hereby respectfully requests special temporary authority (“STA”) for a period of sixty days beginning on or about April 1, 2013, to relocate the AMC-2 fixed-satellite space station from 19.0° E.L. to 80.85° W.L. with an east-west stationkeeping tolerance of +/- 0.15 degrees, where it will be co-located with SES’s AMC-5 satellite. Specifically, SES requests authority to perform Telemetry, Tracking and Command (“TT&C”) using certain C-band and Ku-band frequencies¹ in order to relocate AMC-2 from 19.2° E.L. to 80.85° W.L., and authority to operate both the TT&C and communications payloads on AMC-2 after it has arrived. SES will operate AMC-2 at 80.85° W.L. in accordance with the International Telecommunication Union (“ITU”) filings and coordination agreements of the Argentine Administration. Grant of the requested authority will serve the public interest by allowing SES to use AMC-2 to meet the requirements of its customer, Empresa Argentina de Soluciones Satelitales S.A. (“AR-SAT”), and expand the services available from the nominal 81° W.L. orbital location.

¹ The AMC-2 TT&C frequencies and nominal polarizations are as follows:
Command: 6423.5 MHz (vertical polarization; uplink)
Telemetry: 3700.5 MHz (vertical polarization; downlink), 4199.5 MHz (vertical polarization; downlink), and 12198.0 MHz (horizontal polarization; downlink).

SES has separately filed today a modification application to reassign AMC-2 to 80.85° W.L. +/- 0.15 degrees for operations in accordance with the Argentine ITU filings.² Pending action on the modification, SES seeks authority to allow it to commence relocation of AMC-2 to 80.85° W.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 application to reassign AMC-2 to 80.85° W.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 is currently licensed by the FCC to operate at 19.0° E.L. with an east-west stationkeeping tolerance of +/- 0.1 degrees under the ITU satellite network filings of the Luxembourg Administration.⁴ SES proposes to relocate AMC-2 to the nominal 81° W.L. orbital location (at 80.85° W.L. to be precise), where it will operate under the ITU satellite network filings of the Argentine Administration. The redeployment of AMC-2 will not impact continuity of operations at the nominal 19.2° E.L. location as any traffic on that satellite will be transferred to other spacecraft in the SES fleet prior to relocation.

Grant of the requested authority to relocate and operate AMC-2 will serve the public interest and is consistent with Commission precedent. The Commission has repeatedly

² See File No. SAT-MOD-20130225-00024. SES incorporates by reference the supporting materials that were filed with the modification application.

³ The Commission has routinely authorized operators to commence relocation of a satellite 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 12, 2010) (authorizing SES to drift AMC-4 from 101° W.L. to 67° W.L. pending action on the related modification application to reassign the satellite).

⁴ See File No. SAT-MOD-20120524-00087, grant-stamped July 25, 2012 (the “*AMC-2 19.2° E.L. Grant*”).

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.”⁵ 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.⁶

Here, the proposed change will allow SES to make efficient use of AMC-2 in order to expand the available capacity at the nominal 81° W.L. orbital location. At that location, AMC-2 will supplement the service being provided by the Ku-band only AMC-5 spacecraft by adding South American C-band and Ku-band coverage to AMC-5’s North American Ku-band coverage.⁷ SES will coordinate internally to ensure compatibility of Ku-band operations between AMC-2 and AMC-5.

Reassignment of AMC-2 to 81.2° W.L. will not adversely affect other operators. SES will operate only the TT&C frequencies of AMC-2 during the drift. SES will follow standard industry practices for coordination of TT&C transmissions during the relocation process. Once AMC-2 arrives at 80.85° W.L., SES will operate the satellite pursuant to Argentine ITU filings and in conformance with Argentina’s coordination agreements regarding that location.

⁵ *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).

⁶ *AMSC Subsidiary Corp.*, Order and Authorization, DA 98-493, 13 FCC Rcd 12316 (IB 1998) at 12318, ¶ 8 (footnote omitted).

⁷ See File No. SAT-MOD-20110929-00192, grant-stamped Mar. 2, 2012.

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 relocate AMC-2 from 19.0° E.L. to 80.85° W.L. +/- 0.15 degrees beginning on or about April 1, 2013.

Respectfully submitted,

SES AMERICOM, INC.

By: /s/ Daniel C.H. Mah

Of Counsel

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Dated: February 25, 2013