

S2156 SAT-STA-20130322-00051 IB2013000670
SES Americom, Inc.



File # SAT-STA-20130322-00051

Call Sign S2156 Grant Date 04/04/13
(or other identifier)

Term Dates period of 60 days
From 04/05/13 To: 60 days

Approved by OMB
3060-0678

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

Date & Time Filed: Mar 22 2013 8:33:25:810AM
File Number: SAT-STA-20130322-00051
Callsign:

*with conditions

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 AMC-5 (S2156) to 80.85W

I. 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-20130322-00051
Call Sign S2156

The application of SES Americom, Inc. (SES Americom), IBFS File No. SAT-STA-20130322-00051, for special temporary authority IS GRANTED. Accordingly, SES Americom is authorized, for a period of 60 days, commencing on April 5, 2013, to (1) operate the AMC-5 space station at the 80.85° W.L. orbital location, rather than at the 80.90° W.L. orbital location, (2) continue to provide Fixed Satellite Service, including Direct-to-Home services, in the 11.7-12.2 GHz (space-to-Earth) and 14.0-14.5 GHz (Earth-to-space) frequency bands, and (3) change the east-west station-keeping tolerance of the AMC-5 space station from +/- 0.1 degrees to +/- 0.15 degrees. Operations of the AMC-5 space station must be in accordance with the technical specifications set forth in its application and the Federal Communications Commission's rules, and are subject to the following conditions:

1. All operations 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 station. In the event of any harmful interference, SES Americom must cease operations immediately upon notification of such interference, and must inform the Commission, in writing, immediately of such an event.

2. SES Americom must maintain full operational control of AMC-5 at all times.

3. 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-5 with an east-west station-keeping tolerance of +/- 0.15 degrees, within a combined station-keeping volume with AMC-2 (Call Sign S2134).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 +/- 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-5 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-5 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-2) is located within the same station-keeping volume of AMC-5. 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-5's +/- 0.15 degree station-keeping tolerance, but not overlap AMC-5's +/- 0.05 degree station-keeping tolerance, unless SES Americom successfully coordinates AMC-5's physical operations with those of the other spacecraft. This waiver is limited to AMC-5 and does not extend to any replacement space craft. Our action here is consistent with our precedent.³

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

¹SES Americom has been granted special temporary authority, for a period of 60 days, to operate AMC-2 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-20130324-00024 (granted Mar. 22, 2013).

²In its request for special temporary authority, SES Americom incorporates by reference the information filed in IBFS File No. SAT-MOD-20130325-00054, filed Mar. 25, 2013.

³SES 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).

Attachment to Grant
SES Americom, Inc.
IBFS File No. SAT-STA-20130322-00051
Call Sign S2156

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-5 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-5 space station and its communications payloads, for purposes of International Telecommunication Union (ITU) Radio Regulation 18.1, and that any operations of AMC-5 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 to any particular country, SES Americom is obligated 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-5 space station to specify operations at the 80.85° W.L. orbital location (IBFS File No. SAT-MOD-20130325-00054).

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.

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.



File # SAT-STA-20130322-00051

Call Sign S2156 Grant Date 04/04/13
(or other identifier)

Term Dates period of
From 04/05/13 To: 60 days

Approved: Stephen J. Duall
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 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 60-day STA to slightly shift AMC-5 orbital position to 80.85 W.L. +/- 0.15 degrees pending submission of and action on a modification application to re-assign AMC-5. See attached Legal Narrative.

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 S2156
For Special Temporary Authority to)	
Relocate AMC-5 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 5, 2013, to change slightly the station-keeping box for the satellite from 80.9° W.L. (+/- 0.1° east-west tolerance) to 80.85° W.L. (+/- 0.15° east-west tolerance). SES will continue to operate AMC-5 at the nominal 81° W.L. orbital location in accordance with the International Telecommunication Union ("ITU") filings and coordination agreements of the Argentine Administration. Grant of the requested authority will enable SES to safely operate a second satellite (AMC-2) at the nominal 81° W.L. orbital location while conserving fuel for the provision of service.

SES is preparing a modification application to reflect this proposed small shift in the AMC-5 orbital assignment. Pending submission of and action on the modification, SES seeks authority to allow the change to take effect in order to accommodate the expected arrival of AMC-2. SES will make any authorized change in the AMC-5 orbital position 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-5 to 80.85° W.L. As discussed

herein, grant of the requested authority is consistent with Commission precedent¹ and will serve the public interest.

SES is currently authorized by the Commission to operate the AMC-5 satellite at the nominal 81° W.L. orbital location (at 80.9° W.L. to be precise) pursuant to the ITU satellite network filings of Argentina and under an agreement with SES's customer, Empresa Argentina de Soluciones Satelitales S.A. ("AR-SAT").² SES recently applied for authority to relocate its hybrid AMC-2 spacecraft from 19.0° E.L. to the nominal 81° W.L. orbital location under a similar arrangement with AR-SAT.³ SES intends to operate both AMC-5 and AMC-2 within the same east-west stationkeeping box of 80.85° W.L. +/- 0.15°.

Grant of the requested authority will serve the public interest by enabling SES to safely co-locate a second satellite at the nominal 81° W.L. orbital location in order to expand service to its customer AR-SAT while conserving fuel for future operations. Moreover, the modification will not adversely affect any other operators. The proposed stationkeeping volume for AMC-2 and AMC-5 will not overlap with the stationkeeping volume of any other spacecraft. In addition, the small proposed shift in AMC-5's orbital location and stationkeeping box will have a minimal effect on the interference environment in which adjacent satellites operate. SES

¹ 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).

² *See* Stamp Grant, Call Sign S2156, File No. SAT-MOD-20110929-00192 (granted Feb. 24, 2012).

³ *See* Call Sign S2134, File No. SAT-MOD-20130225-00024 (the "AMC-2 Modification"); Letter of N. Pablo Tognetti, AR-SAT, to Suzanne Malloy, SES, dated Feb. 25, 2013, attached to AMC-2 Modification narrative as Annex 1. The letter contemplates operation of both AMC-5 and AMC-2 at the nominal 81° W.L. location.

will coordinate internally to ensure compatibility of Ku-band operations between AMC-5 and AMC-2. AMC-5 will also be operated consistent with existing and future coordination agreements of the Argentine Administration relating to its ITU filings at 81° W.L.

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-5 to 80.85° W.L. +/- 0.15 degrees beginning on or about April 5, 2013.

Respectfully submitted,

SES AMERICOM, INC.

By: /s/ Daniel C.H. Mah

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Dated: March 22, 2013