

October 16, 2017

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Request for Special Temporary Authority to Drift and Operate Intelsat 16 at 76.2° W.L.;  
Call Sign: S2750  
**Expedited Treatment Requested**

Dear Ms. Dortch:

Intelsat License LLC (“Intelsat”) herein requests grant of Special Temporary Authority (“STA”)<sup>1</sup> for 30 days, immediately upon grant, to drift Intelsat 16 (S2750) to, and operate at, 76.2° W.L. in the telemetry, tracking, and command (“TT&C”) frequencies 13997.5 MHz, 14499.5 MHz, 12198.25 MHz, and 12198.75 MHz, as well as the communications frequencies 11700 – 12200 MHz and 14000 – 14500 MHz.<sup>2</sup> Intelsat seeks this STA in order to assist a customer in responding to the damage caused by Hurricane Maria to the communications networks in Puerto Rico.

Intelsat 16 is currently is licensed to operate at 58.1° W.L.<sup>3</sup> Intelsat is concurrently filing a 180-day STA request to operate Intelsat 16 at 76.2° W.L. Intelsat expects that the drift of Intelsat 16 to 76.2° W.L. will take approximately two weeks. During the drift Intelsat will only utilize the TT&C frequencies and operate on a non-interference/non-protected basis. The drift will be coordinated with all operators of co-frequency satellites in the drift path. In the unlikely event that harmful interference occurs, Intelsat will take all necessary steps to eliminate the interference.

Once at 76.2° W.L., Intelsat will operate Intelsat 16 on a non-interference/non-protected basis and in conformance with coordination agreements concerning the nominal 76.2° W.L. location. As the Commission is aware, DIRECTV Enterprises, LLC (“DIRECTV”) currently holds a license to operate in

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<sup>1</sup> Intelsat has filed this STA request, an FCC Form 159, and a \$945.00 filing fee electronically via the International Bureau’s Filing System.

<sup>2</sup> Although Intelsat 16 also includes the bands 10700 – 11450 MHz, 12750 – 13250 MHz, and 13750 – 14000 MHz, Intelsat is not seeking authority to operate in these bands in this request except for the 13997.5 MHz frequency used for uplink TT&C, noted above.

<sup>3</sup> See *Policy Branch Information; Actions Taken*, Report No. SAT-01160, File No. SAT-MOD-20160201-00009 (May 20, 2016) (Public Notice).

Ku-band at 76.2° W.L. (“DIRECTVKU-76W License”).<sup>4</sup> DIRECTV fully supports this request to allow Intelsat 16 temporarily to operate at 76.2° W.L.

Intelsat has assessed and limited the probability of the space station becoming a source of debris as a result of collisions with large debris or other operational space stations. Intelsat 16 will not be located at the same orbital location as another satellite or at an orbital location that has an overlapping station-keeping volume with another satellite.

Further, with the exception of the DIRECTVKU-76W License, Intelsat is not aware of any other FCC licensed system, or any other system applied for and under consideration by the FCC, having an overlapping station-keeping volume with Intelsat 16 at 76.2° W.L. Finally, Intelsat is not aware of any system that has an overlapping station-keeping volume with Intelsat 16 at 76.2° W.L. that is the subject of an ITU filing and that is either in orbit or progressing towards launch.

To the extent necessary, Intelsat requests a waiver of 47 C.F.R. § 25.120(a), which requires an STA request to be “received by the Commission at least 3 working days prior to the date of proposed ... operation[s.]” The Commission may grant a waiver for good cause shown.<sup>5</sup> In granting a waiver, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>6</sup> Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

Good cause exists to waive 47 C.F.R. § 25.120(a) because a natural disaster has decimated communications in Puerto Rico. In the weeks following Hurricane Maria, the island has been unable to overcome the damage caused to the communications networks and continues to desperately need basic communications. In order to reposition Intelsat 16 to 76.2° W.L. quickly, and given that the satellite drift will take two weeks, Intelsat seeks immediate authorization rather than filing a request 3 working days prior to the proposed drift and operations. Accordingly, “extraordinary reasons for the delay” justify waiver of the rule.

Grant of this STA request will allow Intelsat to expeditiously drift Intelsat 16 to a 76.2° W.L., where it will provide critical communication services in Puerto Rico. Accordingly, grant of this STA request is in the public interest.

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<sup>4</sup> See *Policy Branch Information; Actions Taken*, Report No. SAT-00943, File No. SAT-LOA-20121101-00190 (Apr. 19, 2013) (Public Notice).

<sup>5</sup> 47 C.F.R. §1.3.

<sup>6</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

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For the reasons set forth herein, Intelsat respectfully requests that the Commission expeditiously grant this request.

Sincerely,

*/s/ Cynthia J. Grady*

Cynthia J. Grady  
Regulatory Counsel  
Intelsat Corporation

Cc: Jose Albuquerque  
Stephen Duall  
Jay Whaley  
Cindy Spiers  
Kathryn Medley