

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of

Application of ES 172 LLC for a 60-Day)
Special Temporary Authorization (“STA”)) Call Sign S3021
to Operate the EUTELSAT 172B Satellite)
at the 172° E.L. Orbital Location) File No.:

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

Pursuant to Section 25.120 of the Commission’s rules, 47 C.F.R. § 25.120, ES 172 LLC, an indirect, wholly owned subsidiary of Eutelsat S.A. (“Eutelsat”), respectfully seeks a 60-day special temporary authorization (“STA”) to operate the EUTELSAT 172B satellite (Call Sign S3021) from the 172° East Longitude (“E.L.”) orbital location during the pendency of its underlying application to replace the EUTELSAT 172A satellite currently operating at that location.¹ The EUTELSAT 172B satellite is currently undergoing in-orbit testing (“IOT”) at the 176° E.L. orbit location. ES 172 LLC anticipates the successful completion of IOT within days and seeks to transfer commercial traffic from the aging EUTELSAT 172A satellite to the next-generation EUTELSAT 172B satellite commencing on November 15, 2017.

I. DISCUSSION

ES 172 LLC has filed an application for Commission authority to operate the EUTELSAT 172B satellite to replace existing EUTELSAT 172A operations in certain C-band and Ku-band frequencies at the 172° E.L. orbit location.² While the Commission considers this application, ES

¹ ES 172 LLC’s application to license EUTELSAT 172B as a replacement satellite for S2610 at the 172° E.L. orbital location is pending before the Commission. *See* File No. SAT-RPL-20170927-00136, Call Sign S3021 (filed Sept. 27, 2017, accepted for filing Oct. 20, 2017) (“*EUTELSAT 172B Application*”).

² Other EUTELSAT 172B payloads that support additional service and gateway links will operate under authority issued by France.

172 LLC seeks this STA to facilitate the orderly transition of critical satellite services from EUTELSAT 172A to EUTELSAT 172B beginning in mid-November.³

In support of near-term EUTELSAT 172B operations, Hawaii Pacific Teleport (“HPT”) is filing an STA request,⁴ and has filed an underlying modification application,⁵ to operate a gateway earth station in the Ka-band to provide backhaul for EUTELSAT 172B service links. In addition, because EUTELSAT 172B includes Ku-band high-throughput satellite (“HTS”) beams specifically designed to support mobility applications such as earth stations aboard aircraft (“ESAAs”) in the Asia-Pacific region, both Panasonic Avionics and The Boeing Company have filed STA requests seeking authority to communicate with EUTELSAT 172B as soon it commences operations.⁶

The multiple applications and STA requests associated with EUTELSAT 172B include substantial technical and legal showings regarding the satellite’s proposed operations and demonstrate the strong public interest considerations associated with near-term access to this next-generation satellite. Notably, the *EUTELSAT 172B Application* provides the information required by Section 25.114 of the Commission’s rules, 47 C.F.R. § 25.114, including Schedule S data and other information related to the proposed satellite operations. ES 172 LLC hereby incorporates by

³ ES 172 LLC acknowledges that grant of the requested STA is without prejudice to any determination that the Commission may make regarding pending or future applications regarding the EUTELSAT 172B satellite. Any action taken or expense incurred as a result of operations pursuant to the requested STA is solely at ES172 LLC’s risk.

⁴ HPT is planning to concurrently file a 60-Day STA request to communicate with the EUTELSAT 172B satellite under Call Sign E150010 (anticipated filing date of November 2, 2017).

⁵ See Hawaii Pacific Teleport L.P., File Nos. SES-MFS-20170721-00787 and SES-AFS-20171007-01112, Call Sign E150010

⁶ See Panasonic Avionics Corporation, File No. SES-STA-20171003-01104, Call Sign E100089; The Boeing Company, SES-STA-20171006-01107, Call Sign E140097.

reference the satellite operational parameters and other relevant information previously provided in the *EUTELSAT 172B Application*, including the waivers requested therein.

The *EUTELSAT 172B Application* was placed on Public Notice on October 20, 2017, but the 30-day public notice requirement and possible comments or petitions will prevent the Commission from granting a license before the planned transition of customer traffic to EUTELSAT 172B is scheduled to begin. This 60-day STA is needed to enable ES 172 LLC to begin delivering the benefits of that satellite's superior HTS mobility and other broadband services as quickly as possible to U.S. service providers and network operators in the Asia-Pacific region.

ES 172 LLC respectfully requests this 60-day STA pursuant to Section 25.120 of the Commission's rules, 47 C.F.R. § 25.120. Section 25.120(a) provides that STA requests should be filed at least three working days prior to the date of commencement of the proposed operations. Here, ES 172 LLC is proposing to commence operations on or about November 15, 2017, immediately following the transfer of customer traffic from EUTELSAT 172A to EUTELSAT 172B. Additionally, the Commission may grant a 60-day STA without placing it on public notice if the applicant plans to file a request for regular authority for the operations. As discussed, ES 172 LLC currently has a replacement satellite application pending with the Commission.

Grant of this STA request is in the public interest because it will enable commencement of service of on EUTELSAT 172B, including new HTS spot beams supporting satellite mobility applications, thus enhancing capacity and the efficiency of satellite services provided to U.S. customers in the Asia-Pacific region. Moreover, this STA will facilitate the uninterrupted provisioning of satellite services for existing users of EUTELSAT 172A satellite capacity, including many U.S. customers, by permitting the orderly transition of customer traffic from EUTELSAT 172A to EUTELSAT 172B. Grant will also facilitate use of a more efficient satellite and further enhance U.S. leadership in satellite-based broadband mobility services.

II. CONCLUSION

In view of the foregoing, the public interest would be served by a grant of a 60-day STA to allow ES 172 LLC to operate the EUTELSAT 172B satellite at the 172° E.L. orbital location in accordance with the parameters described in the *EUTELSAT 172B Application*, commencing on November 15, 2017, or as soon as practicable thereafter.