



INTERNATIONAL BUREAU

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
June 26, 1996

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Joseph A. Godles
Goldberg, Godless, Weiner & Wright
1229 Nineteenth Street, N.W.
Washington, D.C. 20036

Re: Request for Section 319(d) waiver, PanAmSat Licensee Corp.
PAS-5 Communications Satellite (319(d) Waiver File No. 122-SAT-WAIV-96)

Dear Mr. Godles:

This is in response to your request for a waiver of Section 319(d) of the Communications Act, 47 U.S.C. § 319(d), to permit PanAmSat Licensee Corp. (PanAmSat) to expend up to \$160 million to begin construction of its proposed PAS-5 fixed-service communications satellite.

PanAmSat filed an application to construct, launch and operate its proposed PAS-5 satellite on November 8, 1990 (see File No. CSS-91-004). PanAmSat proposes to operate the PAS-5 satellite at 194° W.L. in the Pacific Ocean Region. The PAS-5 satellite will operate in the C- and Ku-bands with satellite coverage areas to include Alaska, Hawaii, East Asia and the Pacific Basin. PanAmSat asserts in order to bring PAS-9 into service in a timely and efficient manner, it will be required to expend up to \$160 million for construction and prelaunch services. PanAmSat recognizes that grant of this waiver would be without prejudice to final Commission action on its underlying applications and that any expenditures will be made at its own risk. No oppositions or comments were filed.

We grant PanAmSat's request with respect to the space station facilities proposed in File No. CSS-91-004. We emphasize that expenditures made pursuant to this waiver prior to Commission action on the underlying application are at PanAmSat's own risk, and that grant of this waiver in **no way prejudices** any action the Commission might take on PanAmSat's application for authority to construct, launch and operate its PAS-5 satellite.

Accordingly, pursuant to Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, PanAmSat Licensee Corp. is granted a waiver pursuant to Section 319(d) of the Communications Act, 47 U.S.C. § 319(d), to expend up to \$160 million to commence construction of its PAS-5 satellite, **at its own risk.**

Sincerely yours,

Donald H. Gips
Bureau Chief