



International Bureau

Federal Communications Commission
Washington, DC 20554

November 17, 2006

Pantelis Michalopoulos, Esq.
Steptoe and Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Re: Submission of Executed Satellite Construction Contract
File Numbers: SES-LFS-20040831-01253, SES-AMD-20051118-01599;
SES-LIC-20050621-00799, SES-AMD-20051118-01601
Call Signs: E040344, E050181

Dear Mr. Michalopoulos:

On December 20, 2005, the Commission granted EchoStar authority to access the Canadian Anik F3 satellite, which is licensed to Telesat Canada (Telesat). As a condition of that access, the Commission required EchoStar to, among other things, demonstrate that Telesat was constructing Anik F3 in compliance with specified milestones. The first milestone required EchoStar to demonstrate that Telesat had entered into a non-contingent construction contract by December 20, 2006.

To this end, on July 10, 2006, Telesat submitted, in this proceeding, a redacted copy of the contract between Telesat and EADS Astrium SAS (Astrium) (Contract), dated March 30, 2004, for construction of the Anik F3 satellite. Telesat also submitted a request for confidentiality for the redacted contract. In the *First Space Station Reform Order*,¹ the Commission stated that licensees may request confidential treatment of construction contracts. The Commission further stated that in such cases, it would require the licensee to submit both an unredacted version of the contract, and a redacted version to be made publicly available. Telesat submitted a redacted document only, for which it asked for confidential treatment.

To assist us in determining whether Telesat has met the contract execution milestone for Anik F3, please send us an unredacted copy of the Contract. Further, if Telesat seeks confidentiality with respect to either the redacted or unredacted contract, it must provide all information needed to justify the request for confidentiality, including the information specified in Section 0.459(b) of the Commission's rules.

¹ Amendment of the Commission's Space Station Licensing Rules and Policies, Mitigation of Orbital Debris, *First Report and Order*, IB Docket No. 02-34, 18 FCC Rcd 10760, 10832 (para. 187) (2003).

Please provide an unredacted Contract, together with any requests for confidentiality, by November 27, 2006. If the Commission does not receive this information by this date, it will proceed with its milestone determination based upon the Contract currently on file.

Please hand-deliver or email courtesy copies of any filing made in response to this letter to Jay Whaley (Jay.Whaley@fcc.gov) of my staff.

Sincerely,



Fern J. Jarmulnek, Deputy Chief
Satellite Division