

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
INTEROP JOINT VENTURE)	
)	
Application for Earth Station Authority)	File No. SES-LIC-20030513-00644
In the Domestic Fixed-Satellite Service)	E030113
)	

PETITION TO DENY OF PANAMSAT CORPORATION

PanAmSat Corporation (“PanAmSat”), by its attorneys, hereby petitions to deny the above-referenced application (“Application”) of Interop Joint Venture (“Interop”). For the reasons discussed below, Interop should be required to demonstrate that its proposed antenna, which is non-standard, would be aligned with sufficient precision to avoid interference to adjacent satellites.¹ Absent this showing, Interop’s Application should be denied.

DISCUSSION

Interop seeks a license to operate a 2.4-meter C-band transmit/receive fixed-satellite service (“FSS”) earth station.² Interop proposes to use its earth station for digital operations to support interoperability testing against other satellite systems used by all military and other agencies.³

¹ If Interop’s request for “ALSAT” authority is granted, its proposed earth station could communicate with numerous satellites that are within two degrees of PanAmSat satellites.

² Interop specifically proposes to operate a LNR ESA24 2.4 meter antenna. *See* Application at FCC Form 312 (“Application”) at Schedule B (Items E30-E32). *See also* Application at Schedule A (Item 17d)

³ Application, FCC Form 312 at Schedule A (Items 43). *See also* Public Notice, Report No. SES- 00499, May 21, 2003.

Section 25.209(f) of the Commission's rules⁴ establishes special procedures for earth stations not conforming to the performance standards set forth in Sections 25.209(a) and (b).⁵ The Commission will not routinely authorize such nonconforming earth stations absent "a finding ... that unacceptable levels of interference will not be caused under conditions of uniform 2° orbital spacings."⁶

Interop acknowledges that its proposed 2.4-meter antenna does not comply with the antenna gain patterns as required in Sections 25.209(a) and (b), and requests a waiver of the rules.⁷ In support of its waiver request, Interop attempts to show that it will not cause unacceptable levels of interference under conditions of uniform two-degree orbital spacing.⁸

Interop's showing, however, is lacking critical information.⁹ Whether Interop's proposed operations pose an interference threat to adjacent satellites is not solely a function of its antenna pattern. That interference potential also depends on the extent to which Interop's antenna will be aligned, or misaligned. Interop is silent on this issue.

PanAmSat's analysis suggests there is a significant risk that Interop will cause unacceptable levels of interference, and that this risk can be avoided only if Interop's proposed antenna is properly aligned with the intended satellite. In practice, some misalignment is inevitable. Without specific information concerning Interop's pointing

⁴ 47 C.F.R. § 25.209(f).

⁵ Sections 25.209(a) and (b) of the Commission's rules define the required antenna performance standards for gain and off-axis cross polarization gain of any antenna employed in transmission from an earth station to a space station in the domestic FSS.

⁶ *Id.*

⁷ See Application, FCC Form 312 at Schedule A (Item 35), Schedule B (Item E15), and Exhibit E, letter to the FCC, from Rafael Vega, Interop Joint Venture, re: C-band Transmit/Receive Earth Station, Ft. Huachuca, AZ, "Antenna Waiver" Justification, May 7, 2003 ("Exhibit E").

⁸ *Id.* Even if Interop's antenna pattern were conforming, which it is not, Interop's Application would not be eligible for routine processing because its antenna diameter is smaller than 4.5 meters. See 47 C.F.R. § 25.212(d) ("In the 6 GHz band, an earth station with an equivalent diameter of 4.5 meters or greater may be routinely licensed for transmission of SCPC services if the maximum power densities into the antenna do not exceed +0.5 dBW/4 kHz for analog SCPC carriers with bandwidths up to 200 kHz, and do not exceed -2.7 dBW/4 kHz for narrow and/or wideband digital SCPC carriers").

⁹ Application at Exhibit E.

procedures, however, it is not possible to make a proper evaluation of the misalignment issue.

It is essential that a proper evaluation be made prior to licensing. PanAmSat knows from past experience that detecting and eliminating a source of interference can be costly and time-consuming for customers, service providers, and satellite operators.

Therefore, Interop should be required to supplement its Application with information that would enable the Commission to ascertain whether Interop's antenna will be pointed accurately. The supplement should address the alignment accuracy of the antenna along with the installation procedures Interop intends to follow to ensure that the alignment accuracy can be achieved. PanAmSat would not object to a grant of Interop's Application to the extent Interop can demonstrate that its antenna will be aligned to within 0.5 degrees of the intended satellite.

CONCLUSION

For the foregoing reasons, the Commission should deny Interop's Application unless Interop demonstrates that its installation procedures would result in an accurately aligned antenna, consistent with two-degree orbital spacing requirements.

Respectfully submitted,

PANAMSAT CORPORATION

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June 20, 2003

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent by first-class mail, postage prepaid, this 20th day of June 2003 to the following:

Interop Joint Venture
Attention: Rafael Vega
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Sierra Vista, AZ 85635

Ryan N. Terry