



April 20, 2020

By Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St., SW
Washington, D.C. 20554

Re: *Oral Ex Parte Presentation*
HNS Licensee Sub, LLC
IBFS File Nos. SES-LIC-20170807-00877, SES-LIC-20170807-00882, SES-LIC-20170807-00888, SES-LIC-20170807-00891, SES-LIC-20170807-00893, SES-LIC-20170807-00894, SES-AMD-20190221-00283, SES-AMD-20190221-00299, SES-AMD-20190221-00302, SES-AMD-20190221-00305, SES-AMD-20190221-00307 & SES-AMD-20190221-00309
Call Signs E170152, E170157, E170163, E170166, E170168 & E170169

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules,¹ HNS License Sub, LLC ("Hughes") submits this notice of a teleconference on April 17 regarding the above-referenced applications for certain Jupiter 3 gateway earth stations. Present at the teleconference were Hughes representatives, Jennifer Manner, Kimberly Baum, and Phuong Pham (outside counsel), and International Bureau ("IB") Chief, Tom Sullivan.

During the teleconference, Hughes expressed support for a license condition to mitigate interference to Upper Microwave Flexib Use ("UMFU") operations on protected roads near non-allocated gateway sites (*i.e.*, Rapid City, Rifle, and Simi Valley), as such condition offers a fair compromise solution for those sites. Hughes stressed, however, that imposing a similar condition with respect to 350 MHz of non-grandfathered spectrum (*i.e.*, 27.5-27.85 GHz) at the allocated, grandfathered sites (*i.e.*, Missoula, Bismarck, and Santa Clara) would undercut any benefits afforded to the 500 MHz of grandfathered spectrum (*i.e.*, 27.85-28.35 GHz) at these sites, thus effectively treating grandfathered sites the same as non-grandfathered sites.

Hughes noted that the grandfathered provisions of Section 25.136(a) expressly allow for grandfathered protection to gateway earth stations "in the [entire] 27.5-28.35 GHz band."² Accordingly, existing Jupiter 2 gateways (currently licensed at 27.85-28.35 GHz) may be later modified to extend grandfathered status to the entire 27.5-28.35 GHz band pursuant to

¹ See 47 C.F.R. § 1.1206(b); see also *Satellite Communications Services Information re: Actions Taken*, Public Notice, Report No. SES-02245, at 64-67 (Feb. 26, 2020) (designating above-referenced applications as "permit-but-disclose").

² 47 C.F.R. § 25.136(a).



the rule (or waiver), and UMFU licensees therefore have no reasonable expectation of additional interference protection at these grandfathered sites. Indeed, O3b previously obtained modification authorization to extend grandfathered status to an additional 100 MHz of spectrum (at 27.5-27.6 GHz) for a gateway in Hawaii.³ Notably, grant of that authorization was not based upon a finding of compliance with Section 25.136(a)(4)'s UMFU sharing criteria or subject to any license condition to mitigate interference to UMFU operations.⁴

Additionally, Hughes reiterated that the proposed collocated gateway operations at the grandfathered sites pose no significantly greater risk to UMFU operations. Specifically, the power flux density ("PFD") contours for the proposed Jupiter 3 gateways are substantially smaller than, and largely encompassed within, the PFD contours for existing grandfathered Jupiter 2 gateways, as shown in Attachment A.⁵ UMFU licensees in either of the two 425 MHz-wide channel blocks would have had to account for these grandfathered Jupiter 2 gateway operations.

Please contact the undersigned with any further questions.

Sincerely,

/s/ Jennifer A. Manner

Jennifer A. Manner

Senior Vice President, Regulatory Affairs

Kimberly M. Baum

Vice President, Regulatory Affairs

Attachment

cc: Tom Sullivan (FCC)
Gregory M. Romano (Verizon)
Daudeline Meme (Verizon)
Catherine Hilke (Verizon)

³ See O3b, Radio Station Authorization, IBFS File No. SES-MOD-20190207-00084 (Nov. 26, 2019).

⁴ See *id.* at 5.

⁵ See Attachment A (PFD Contour Maps for Grandfathered Sites) (attached hereto) (showing single-entry PFD contours for collocated Jupiter 3 and Jupiter 2 gateways, and also comparing single-entry PFD contours to aggregate PFD contours at grandfathered sites); see also Letter from Jennifer A. Manner & Kimberly M. Baum, Hughes, to Marlene H. Dortch, FCC, IBFS File Nos. SES-LIC-20170807-00877 *et al.*, Attachment A (Mar. 5, 2020); Letter from Jennifer A. Manner & Kimberly M. Baum, Hughes, to Marlene H. Dortch, FCC, IBFS File Nos. SES-LIC-20170807-00877 *et al.*, Attachment A (Mar. 26, 2020).

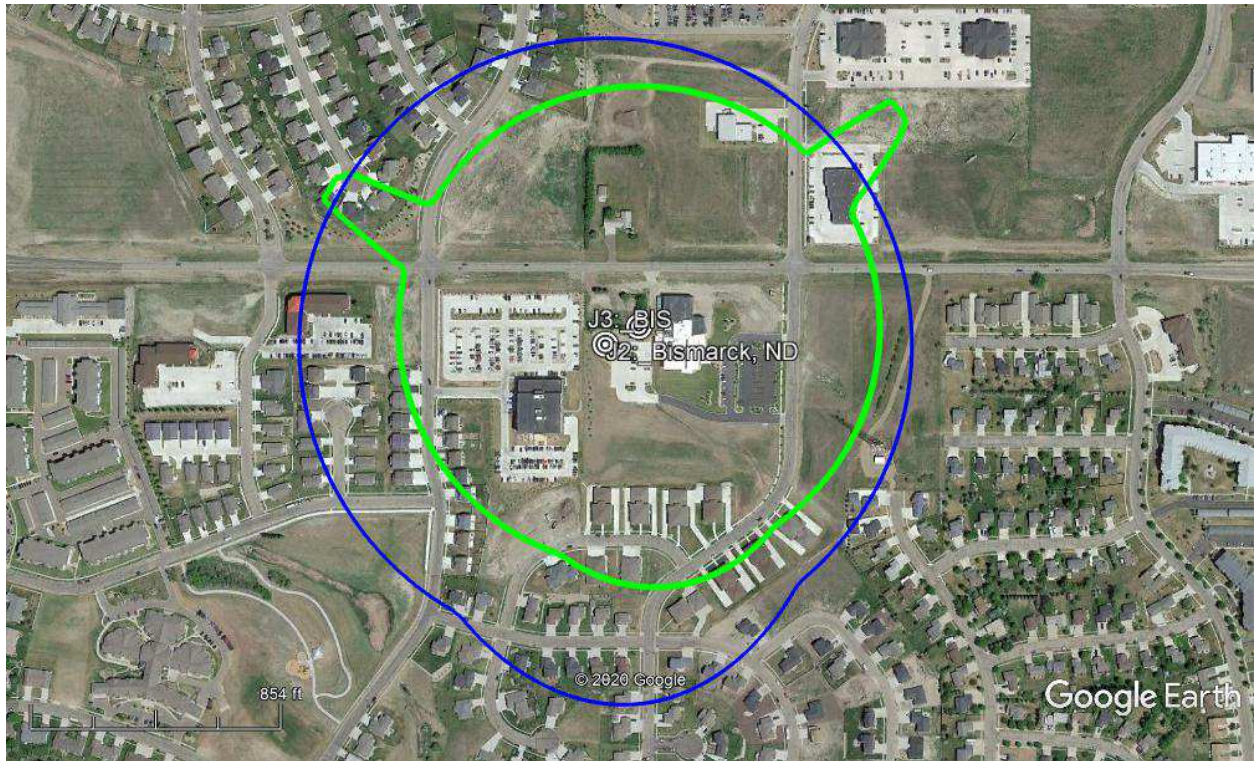


Attachment A

PFD Contour Maps for Grandfathered Sites

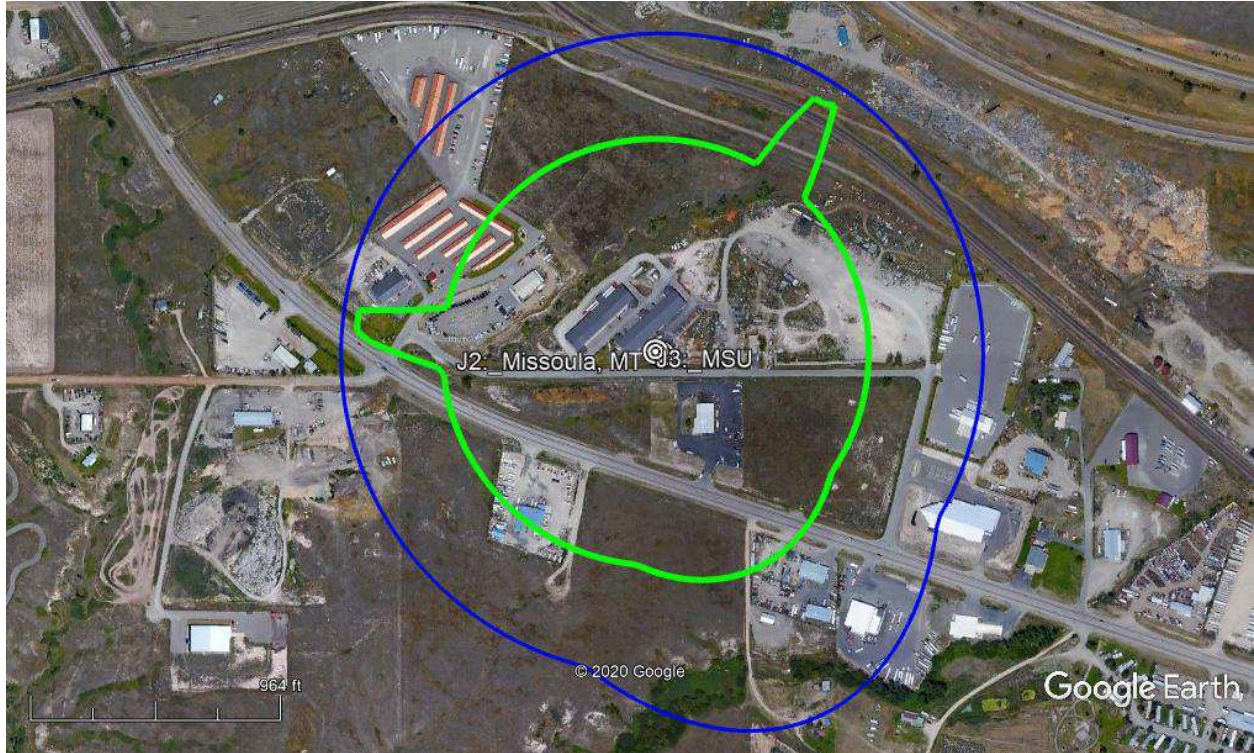
Bismarck, North Dakota (43rd Ave on FHWA HEPGIS map)

- Blue – contours for Jupiter 2 gateway, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m; Green – contour for Jupiter 3 gateway, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m



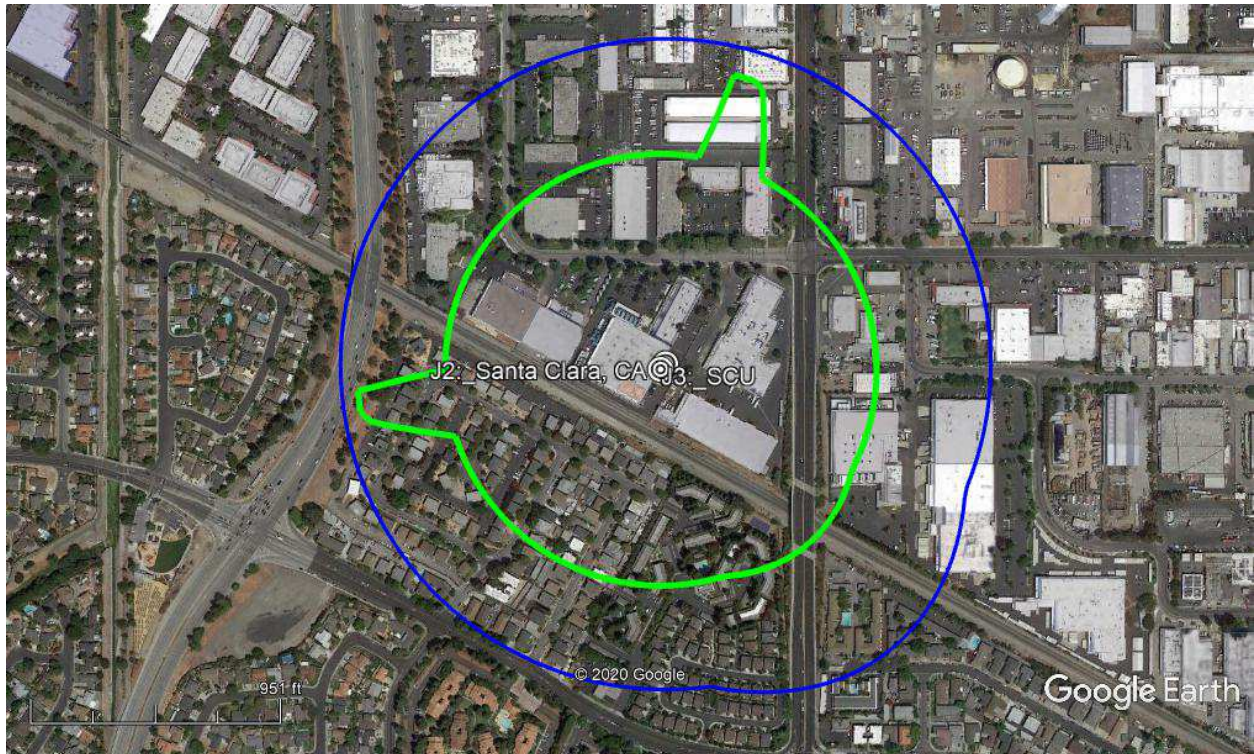
Missoula, Montana (Interstate 90 & W Broadway St both on FHWA HEPGIS map)

- Blue – contours for Jupiter 2 gateway, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m; Green – contour for Jupiter 3 gateway, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m



Santa Clara, CA (San Thomas Expy, Scott Blvd & Monroe St on FHWA HEPGIS)

- Blue – contours for Jupiter 2 gateway, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m; Green – contour for Jupiter 3 gateway, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m



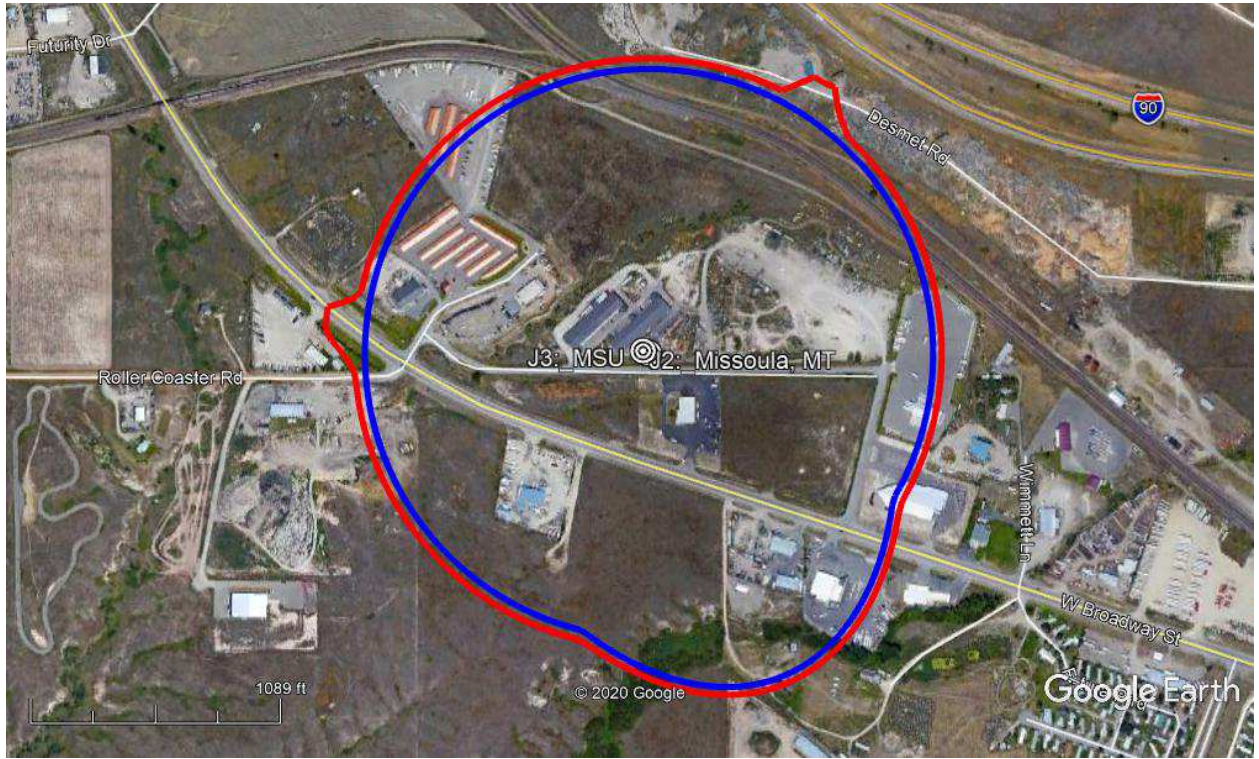
1. Missoula, MT—28 GHz (File No. SES-LIC-20170807-00893; Call Sign E170168)

The blue pfd contour is for the Jupiter 2 gateway, using Rec. P.2108 and p = 85% for clutter and a minimum 250 m. The red pfd contour is the aggregate contour for Jupiter 2 and Jupiter 3 gateways, using Rec. P.2108 and p = 85% for clutter and a minimum 250 m. The below table summarizes the population covered by the aggregate contour of Jupiter 2 and Jupiter 3 but not included in the grandfathered Jupiter 2 contour. The pfd contour covers approximately 73 m more of W Broadway Street as compared to the Jupiter 2 contour which covers approximately 740 m. W Broadway Street is a highway classified by the U.S. Department of Transportation under the categories Interstate, Other Freeways and Expressways, or Other Principal Arterial according to information contained on the U.S. Department of Transportation Federal Highway Administration website (<https://hepgis.fhwa.dot.gov/fhwagis/#>).

Missoula County population: 111,011

Permitted population within contour: 450

County	State	Census Tract	Census Block	Block Pop	Area Percent	Pop Weighted
Missoula	MT	001600	1100	0	1.23%	0.00
Missoula	MT	001600	1099	8	1.84%	0.15
Missoula	MT	001600	1104	0	3.08%	0.00
Missoula	MT	001600	1128	152	0.04%	0.06
Missoula	MT	001600	1129	12	0.84%	0.10
Missoula	MT	001600	3046	0	0.42%	0.00
Missoula	MT	001600	1085	8	0.21%	0.02
Missoula	MT	001600	1131	0	0.16%	0.00
Total						0



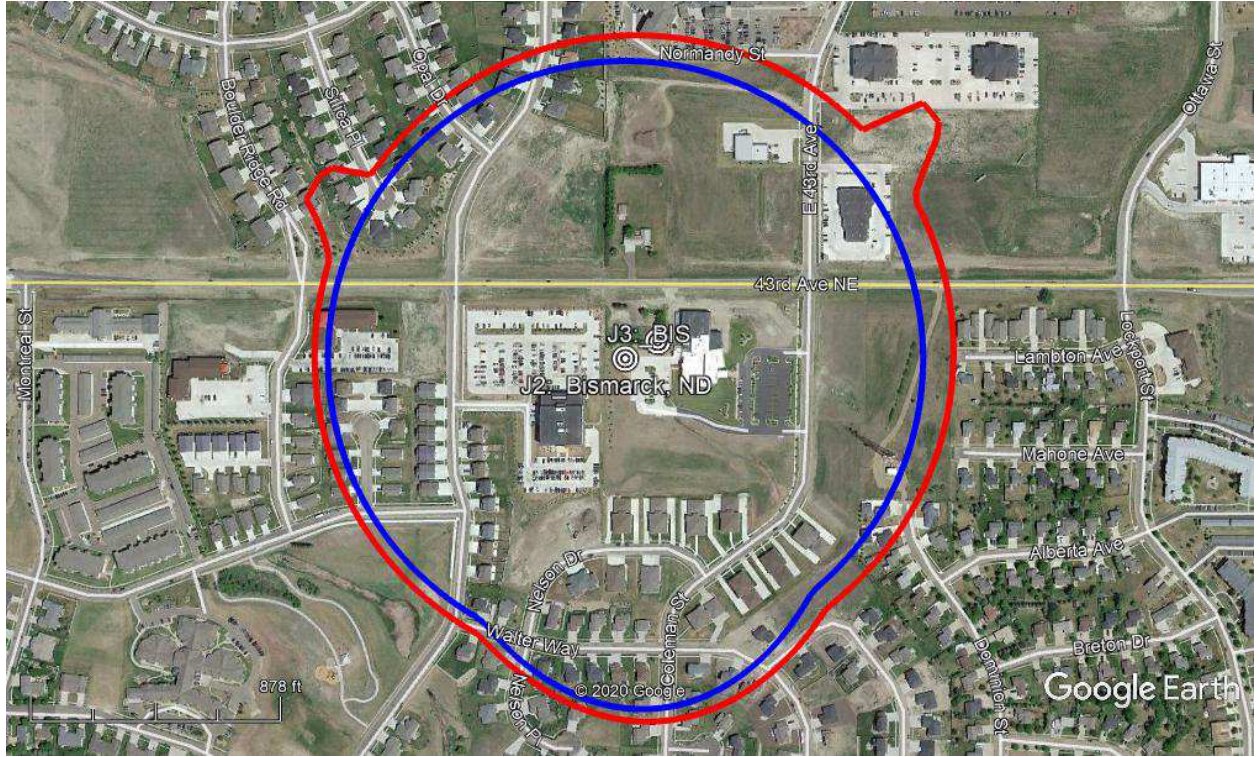
2. Bismarck, ND—28 GHz (File No. SES-LIC-20170807-00894; Call Sign E170169)

The blue pfd contour is for the Jupiter 2 gateway, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m. The red pfd contour is the aggregate contour for Jupiter 2 and Jupiter 3 gateways, using Rec. P.2108 and $p = 85\%$ for clutter and a minimum 250 m. The below table summarizes the population covered by the aggregate contour of Jupiter 2 and Jupiter 3 but not included in the grandfathered Jupiter 2 contour. The pfd contour covers approximately 53 m more of 43rd Avenue as compared to the Jupiter 2 contour which covers approximately 616 m. 43rd Avenue is a highway classified by the U.S. Department of Transportation under the categories Interstate, Other Freeways and Expressways, or Other Principal Arterial according to information contained on the U.S. Department of Transportation Federal Highway Administration website (<https://hepgis.fhwa.dot.gov/fhwagis/#>).

Burleigh County population: 86,111

Permitted population within contour: 450

County	State	Census Tract	Census Block	Block Pop	Shaded Area Percent	Pop Weighted
Burleigh	ND	011105	1146	0	4.86%	0.00
Burleigh	ND	011105	1161	6	6.71%	0.40
Burleigh	ND	011101	3005	0	32.41%	0.00
Burleigh	ND	011101	3006	127	2.25%	2.85
Burleigh	ND	011101	3008	0	4.82%	0.00
Burleigh	ND	011101	3010	0	5.37%	0.00
Burleigh	ND	011101	3016	7	2.37%	0.17
Burleigh	ND	011105	1138	23	0.47%	0.11
Burleigh	ND	011105	1146	0	4.86%	0.00
					Total	4



3. Santa Clara, CA—28 GHz (File No. SES-LIC-20170807-00877; Call Sign E170152)

The blue pfd contour is for the Jupiter 2 gateway, using Rec. P.2108 and p = 85% for clutter and a minimum 250 m. The red pfd contour is the aggregate contour for Jupiter 2 and Jupiter 3 gateways, using Rec. P.2108 and p = 85% for clutter and a minimum 250 m. The below table summarizes the population covered by the aggregate contour of Jupiter 2 and Jupiter 3 but not included in the grandfathered Jupiter 2 contour. The pfd contour covers approximately 46 m more of Scott Blvd, 113 m of San Thomas Parkway and 95 m of Monroe Street as compared to the Jupiter 2 contour which covers approximately 710 m, 214 m and 86 m of each of those highways, respectively. Scott Blvd, San Thomas Parkway and Monroe Street are highways classified by the U.S. Department of Transportation under the categories Interstate, Other Freeways and Expressways, or Other Principal Arterial according to information contained on the U.S. Department of Transportation Federal Highway Administration website (<https://hepgis.fhwa.dot.gov/fhwagis/#>).

Santa Clara County population: 1,841,569

Permitted population within contour: 1841

County	State	Census Tract	Census Block	Block Pop	Shaded Area Percent	Pop Weighted
Santa Clara	CA	505302	1016	19	7.53%	1.43
Santa Clara	CA	505202	3133	0	3.80%	0.00
Santa Clara	CA	505202	3132	0	6.90%	0.00
Santa Clara	CA	505202	3135	1	7.41%	0.07
Santa Clara	CA	505202	3140	0	3.36%	0.00
Santa Clara	CA	505202	3147	0	1.65%	0.00
Santa Clara	CA	505202	3154	109	1.75%	1.91
Santa Clara	CA	505202	3158	0	9.58%	0.00
Santa Clara	CA	505202	3186	978	2.23%	21.77
Santa Clara	CA	505303	4001	991	5.07%	50.28
Santa Clara	CA	505303	4002	49	27.54%	13.49
Santa Clara	CA	505303	4005	368	3.17%	11.67
Santa Clara	CA	505303	4007	4	6.59%	0.26
Santa Clara	CA	505303	1005	0	43.45%	0.00
Santa Clara	CA	505202	3141	0	7.92%	0.00
Santa Clara	CA	505202	3142	0	2.10%	0.00
					Total	101

