

Frequency Waiver Request

HSC requests a waiver of Section 2.106 Footnote NG52 in the U.S. Table of Frequency Allocations¹ to permit the use of the requested frequency bands by non-federal FSS operations with earth stations located both inside and outside the United States. While the earth station will generally be operated as part of an international system, it may in a limited number of cases communicate with other earth stations located inside the United States. In those cases, communication would happen via the AMAZONAS-2 satellite within the frequency bands

10790.0 - 10826.0 MHz (Vertical Polarization) (space-to-earth),
11204.0 - 11240.0 MHz (Vertical Polarization) (space-to-earth),
11324.0 - 11360.0 MHz (Vertical Polarization) (space-to-earth),
12840.0 - 12876.0 MHz (Horizontal Polarization) (earth -to-space),
13004.0 - 13040.0 MHz (Horizontal Polarization) (earth -to-space),
13124.0 - 13160.0 MHz (Horizontal Polarization) (earth -to-space),

consistent with the FCC's recent grant² of Application to Modify Authorization for AMAZONAS-2, adding those frequencies to the Permitted Space Station List.

Good cause for a waiver exists in this case. Grant of the requested waiver to permit domestic use of the requested frequencies is consistent with precedent for both downlink³ and uplink⁴ operations in the frequency bands requested by HSC. Such a waiver is justified as the operation of this earth station would be on an unprotected, non-interference basis, thereby not increasing the number of earth stations with which terrestrial operators would have to coordinate. HSC coordinated its proposed operations with potentially impacted terrestrial operators⁵, and thus grant of this license will not contribute to an increased general risk of interference.

Grant of this waiver is in the public interest. This earth station will be part of a test and training network allowing U.S. government customers to acquaint themselves with the service in the United States prior to using the service elsewhere in the world. Grant of this waiver request is in the public interest as it allows for utilization of available satellite capacity to provide U.S. government customers with service for critical testing and training exercises.

Consistent with Commission grant of previous waivers of Footnote NG52, HSC certifies that i) its operations for domestic service will be conducted on an unprotected, non-interference basis relative to terrestrial fixed stations, ii) it will accept any level of interference from terrestrial fixed stations and operators of terrestrial fixed stations will not be required to coordinate their operations with the

¹ 47 C.F.R. § 2.106, n. NG52.

² Hispamar Satélites, S.A., Application to Modify Authorization for AMAZONAS-2, Call Sign S2793, IBFS File No. SAT-MPL-20210603-00073 (filed Jun. 3, 2021, granted Oct. 29, 2021) (Hispamar Application).

³ See, e.g., *Hispasat 30W-6* at ¶ 6; *Intelsat License LLC*, IBFS File No. SAT-LOA-20130722-00097 (granted May 22, 2015) ("*Intelsat 29e*"); *Intelsat License, LLC*, IBFS File No. SAT LOA-20101014-00219 (granted Jul. 26, 2011) ("*Intelsat 18*"); *PanAmSat Licensee Corp. Application for Authority to Use the Extended Ku-Band Frequencies for Domestic Service*, Order and Authorization, 20 FCC Rcd 14642, 14646 (Sat. Div., Int'l Bur., 2005) ("*PanAmSat Order*").

⁴ *Intelsat 29e* at ¶ 22; *DIRECTV Enterprises, LLC*, IBFS File No. SAT-RPL-20140221-00026 at ¶ 12 (granted May 11, 2016).

⁵ See "*Coordination Report*" attached to this application.

receiving earth station, and iii) HSC will disclose to its customers, including end-users, that use of the frequency bands for domestic service is on an unprotected basis and that future terrestrial fixed stations may cause harmful interference to their (separately licensed) earth stations, and iv) upon notice that its earth station operations are causing interference HSC would terminate operations and immediately inform the FCC of the event.