

Exhibit D

PETITION FOR WAIVER OF SECTIONS 25.137 AND 25.114

Earth station applicants seeking to access a foreign-licensed satellite must demonstrate that “U.S.-licensed satellites have effective competitive opportunities to provide analogous services in” the “country in which the non-U.S.-licensed space station is licensed.”¹ Although the JSAT-2A satellite is not on the Commission’s Permitted Space Station List, the Commission previously has authorized the satellite as a point of communication for a U.S. earth station.² In addition, a Japanese-licensed satellite – Horizons 1 – is on the Permitted Space Station List.³ Intelsat incorporates herein by reference the information previously filed with the Commission regarding the JSAT-2A satellite,⁴ as well as access by foreign-licensed satellites to the Japanese market.⁵ Because the required information previously has been filed, and to the extent necessary, Intelsat respectfully requests a waiver of Sections 25.137 and 25.114 of the Commission’s rules.⁶

¹ See 47 C.F.R. § 25.137(a)(1).

² See File No. SES-LIC-20030418-00503.

³ See *Horizons Satellite LLC Petition for Declaratory Ruling to Add Horizons I to the Permitted Space Station List*, Order, 18 FCC Rcd 24,745, 24,748 (¶8) (2003) (“We conclude that Horizons 1’s proposed entry for purposes of offering fixed-satellite services, excluding DTH, will enhance competition for these services in the U.S. market.”). See also *Horizons Satellite LLC Application for Modification of Permitted List Authorization*, Order and Authorization, 19 FCC Rcd 20,349 (2004).

⁴ See File No. SES-LIC-20030418-00503.

⁵ See File No. SAT-PDR-20030210-00015 (requesting FSS market access for Horizons 1).

⁶ 47 C.F.R. §§ 25.137 and 25.114.