

APPLICATION FOR MODIFICATION OF LICENSE
Earth Station E970336

SES Americom, Inc. (doing business as “SES”) hereby requests modification of its license for earth station E970336 to add the Ciel 2 satellite as a point of communications for the purposes of providing tracking, telemetry and command (“TT&C”) and make conforming technical changes. Ciel 2 is a Canadian-licensed Direct Broadcast Satellite (“DBS”) spacecraft operating at the nominal 129° W.L. orbital location.

Full technical information regarding Ciel 2, including a completed Schedule S and a narrative technical appendix, is already on file with the Commission.¹ SES hereby incorporates those materials by reference.

The DISH Application also includes a showing pursuant to the Commission’s *DISCO II* framework² applicable to use of a foreign-licensed spacecraft to serve the United States. The instant application, however, does not seek authority to use Ciel 2 to offer service to U.S. customers. Instead, SES seeks to use E970336 only for TT&C operations. Use of a U.S.-licensed earth station to communicate with a foreign-licensed satellite for TT&C purposes only does not raise the types of market access and competitive parity issues underlying the *DISCO II* framework. However, to the extent that the Commission believes that a *DISCO II* showing is required here, SES incorporates by reference the showing provided in the DISH Application. The FCC has also previously authorized another SES earth station to communicate with Ciel 2 to provide TT&C.³

The requested modification will support use of Ciel 2 for service to customers by permitting SES to provide TT&C and is therefore in the public interest. SES is attaching an updated Schedule B for E970336 that reflects the information that would change as a result of the proposed modification, including changes to the orbital arc for operations. Attached to the Schedule B are updated frequency coordination and radiation hazard reports.

¹ See *DISH Operating L.L.C.*, File No. SES-MFS-20080926-01242, call sign E050029, granted Jan. 30, 2009 (“DISH Application”).

² See *Amendment of the Commission’s Policies to Allow Non-U.S. Licensed Space Stations Providing Domestic and International Service in the United States*, 12 FCC Rcd 24094, 24170-72 (1997) (“*DISCO II*”).

³ See *SES Americom, Inc.*, File No. SES-MFS-20081031-01430, call sign E080162, granted Jan. 30, 2009.