Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
ITC Global USA, LLC	)	File No.: SES-MOD-_____-_____
	)	
Application to Modify its Very Small Aperture Terminal ("VSAT") Blanket License	)	Call Sign: E990070

APPLICATION TO MODIFY VSAT BLANKET LICENSE

Pursuant to Section 25.117 of the Federal Communications Commission's ("Commission") Rules, ITC Global USA, LLC ("ITC Global") seeks to modify its very small aperture terminal ("VSAT") blanket license[1] by (i) including authority to operate up to 25 of each of four (4) additional Ku-band VSAT terminal types (the "VSAT Terminals"); (ii) adding additional frequencies to its existing VSAT terminals, (iii) adding the Yamal 300K satellite as an authorized point of communication to serve the U.S. market in the relevant frequency bands; and (iv) changing the area of operation for all earth stations authorized under the VSAT Blanket License to include the contiguous United States ("CONUS"), Alaska, Hawaii, and U.S. Territories, as well as adjacent waters for fixed offshore applications.

Grant of this application, including expanded U.S. market access for the Yamal 300K satellite, will enable ITC Global to optimize its ground station infrastructure to provide critical communications services to its customers, while meeting its growing business needs. ITC Global certifies that the remaining information in the VSAT Blanket License has not changed.[2]

[1] ITC Global, File No. SES-MOD-20150211-00071, Call Sign E990070 (granted April 8, 2015) ("VSAT Blanket License").

[2] *See* 47 C.F.R. § 25.117(c).

I. DISCUSSION

A. Antenna Terminal Type

ITC Global seeks to operate the Ku-band VSAT Terminals, all of which have previously been authorized by the Commission.[3] ITC Global seeks to operate up to 25 of each terminal in the 10.95-11.2 GHz and 11.45-11.7 GHz (space-to-Earth) (the "Extended Ku-band"), and 11.7-12.2 GHz (space-to-Earth) and 14.0-14.5 GHz (Earth-to-space) (the "Conventional Ku-band") – with the Commission's Permitted Space Station List ("Permitted List") and the Yamal 300K satellite at the power levels indicated below.

Table 1: Terminal Types and Licensing Information

Manufacturer	Model	Call Sign	Prior FCC File Number	Max EIRP	Max EIRP Density (dBW/4kHz)
Thrane & Thrane	Sailor 900	E070239	SES-MFS-20180829-02321	48.20	25.80
KNS	Z12MK4	E881406	SES-MOD-20110630-00778	48.80	27.80
CPI	1241	E010082	SES-MOD-20121217-01115	53.15	27.63
GD Satcom	1244	E140129	SES-LIC-20141221-00920	58.39	27.20

The VSAT Terminals will operate as fixed earth stations with technical characteristics previously authorized by the Commission and will comply with the Commission's rules and policies, including compliance with the EIRP spectral density masks associated with two-degree spacing. Therefore, this modification application is eligible for routine processing under the Commission's rules. In addition, ITC Global will operate the VSAT Terminals on a non-interference/non-protection basis with respect to any authorized terrestrial stations to which frequencies are either already assigned, or may be assigned in the future, in the Extended Ku-band.

[3] The KNS Z12MK4 is an improved version of the Z12MK2 model which previously received authorization from the Commission and whose technical information is incorporated herein by reference to the extent necessary. *See* Shared Data Networks, LLC, File No. SES-MOD-20110630-00778, Call Sign E881406 (granted Sept. 20, 2011).

B. Additional Authority for Existing Terminal Types

ITC Global requests additional operational authority for its previously authorized VSAT terminals. Specifically, as indicated in the FCC Form 312, Schedule B, included with this application, ITC Global requests authority to operate using Extended Ku-band downlink spectrum for all authorized Ku-band VSAT terminals. Other currently authorized operational parameters will not change.

In the Extended Ku-band, ITC Global's receive-only operations will be on a non-protection/ non-interference basis regarding authorized terrestrial stations to which frequencies are either already assigned or may be assigned in the future. In addition, ITC Global's currently authorized terminals operate in accordance with the Ku-band VSAT off-axis EIRP spectral mask set forth in Section 25.218 and therefore grant of Permitted List authority for these additional frequencies, considering the waiver request below, is allowable.

C. Yamal 300K Satellite

ITC Global requests authority for the VSAT Terminals, as well as previously licensed VSATs, to communicate with the Yamal 300K satellite in the Ku-band frequencies at 10.95 – 11.2 GHz and 11.45-11.7 GHz (space-to-Earth) and 14.0-14.5 GHz (Earth-to-space) bands. The Commission permits non-U.S. licensed satellites to access the U.S. market through applications for earth stations upon establishing compliance with Sections 25.114 and 25.137 of the Commission's Rules,[4] and demonstrating that the public interest would be served by such authority. Grant of this modification application and expanded U.S. market access for the Yamal 300K satellite would be consistent with the Commission's rules and policies.[5]

[4] 47 C.F.R. §§ 25.114 & 25.137.

[5] The Yamal 300K satellite is nominally positioned at 177° W.L. and is licensed by Russia, a member of the World Trade Organization ("WTO") for services covered under the WTO Basic Telecommunications

The Commission has previously authorized communications with Yamal 300K and ITC Global hereby incorporates by reference the relevant information and waivers therein necessary to permit expanded market access for the Yamal 300K satellite.[6] Pursuant to Section 25.137(d) of the Commission's Rules, 47 C.F.R. § 25.137(d), these prior granted applications and authorizations establish that the proposed operations of the Yamal 300K satellite comply with applicable Commission requirements for non-U.S. licensed satellites to provide service in the United States.

D. Areas of Operation

ITC Global seeks to operate the VSAT Terminals and its previously licensed VSATs in in CONUS, Alaska, Hawaii, and U.S. Territories, as well as adjacent waters for fixed offshore applications. Currently, the license includes Gulf of Mexico and CONUS, as the area of operation for the existing terminals. This request would expand and harmonize the area of operation for all of the VSAT terminals authorized under the VSAT Blanket License as noted above.

E. Radiation Hazard Analyses

A radiation hazard analysis for each additional antenna is included in the technical appendix attached hereto.[7] As demonstrated by the results of the analysis and prior authorizations of each terminal type, the Commission's exposure limits will be met.

Agreement. Because Russia is a member country in the WTO, ITC Global is not required to make the effective competitive opportunities showing set out in Section 25.137 of the Commission's Rules. 47 C.F.R. § 25.137.

[6] *See* Denali 20020, LLC, File No. SES-MFS-20160404-00304, Call Sign E120043 (granted June 27, 2016); *see also* Panasonic Avionics Corporation, File No. File No. SES-MFS-20150609-00349, as amended by SES-AFS-20160107-00003, Call Sign E100089, (granted June 30, 2016) (providing relevant coverage map); Intelsat Inflight Licenses LLC, File No. SES-MFS-20151022-00735, Call Sign E120106 (granted June 30, 2016).

[7] *See* Technical Appendix.

F. Public Interest Considerations

Grant of this modification and request for market access will strongly serve the public interest by allowing ITC Global to optimize its ground station operations to provide more efficient services to its customers. This, in turn, will facilitate improved satellite services to companies and personnel in industries that rely on satellite connectivity for critical operational and employee support at remote locations that may be unable to obtain communications services through alternative facilities. In addition, granting U.S. market access for the Yamal 300K satellite would enhance competition in the satellite service marketplace.

G. FAA Notification

The proposed antennas are exempt from notification to the FAA under Section 17.7 of the Commission's rules because the antennas are adjacent to structures of greater overall height or will otherwise be less than 6.1 m in height.[8]

II. Waiver Request

ITC Global requests waiver of Footnote NG52 of the U.S. Table of Allocations, which restricts the use of the 10.95-11.2 GHz and 11.45-11.7 GHz bands by the non-federal fixed satellite service in the geostationary orbit to international systems only.[9]

Under Section 1.3 of the Commission's rules, the Commission has authority to waive its rules "for good cause shown."[10] Good cause exists if "special circumstances warrant a deviation from the general rule and such deviation will serve the public interest" better than adherence to the general rule.[11] In determining whether waiver is appropriate, the Commission should "take

[8] 47 C.F.R. § 17.7(e).

[9] *See* 47 C.F.R. § 2.106, fn. NG52.

[10] 47 C.F.R. § 1.3; *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

[11] *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

into account considerations of hardship, equity, or more effective implementation of overall policy."[12]

Good cause exists to waive the international-only requirements for the 10.95-11.2 GHz and 11.45-11.7 GHz frequency bands for this modification. The purpose of NG52 is to limit the number of the fixed satellite service earth stations with which the co-primary fixed service would need to coordinate.[13] A waiver of the Table of Allocations is generally granted "when there is little potential interference into any service authorized under the Table of Frequency allocations and when the nonconforming operator accepts any interference from authorized services."[14] The International Bureau has found that waiving NG52 would not undermine the purpose of the rules if the party seeking a waiver: (i) will only receive in these bands and thus "not capable of causing interference into FS stations" operating in the bands; and (ii) agrees to "accept any level of interference from FS stations" in these bands.[15]

With respect to the 10.95-11.2 GHz and 11.45-11.7 GHz band, grant of the requested waiver satisfies these criteria and would be consistent with precedent. The receive-only earth stations operating in these bands with the Permitted List and the Yamal 300K will not transmit in these bands and ITC Global agrees to accept any level of interference into those earth stations

[12] *WAIT Radio*, 418 F.2d at 1159.

[13] *See* Satellite Services, 26 RR 2d 1257, 1263-65. *See also* EchoStar KuX Corporation Application for Authority to Construct, Launch and Operate a Geostationary Satellite Using the Extended Ku-band Frequencies in the Fixed-Satellite Service at the 83º W.L. Orbital Location, *Order and Authorization*, DA 04-3162, 9 (Int'l Bur., Sept. 30, 2004) ("EchoStar 83º Waiver").

[14] *See* The Boeing Company, *Order and Authorization*, 16 FCC Rcd 22645, 22651 (Int'l Bur. & OET 2001); Application of Fugro-Chance, Inc. for Blanket Authority to Construct and Operate a Private Network of Receive-Only Mobile Earth Stations, *Order and Authorization*, 10 FCC Rcd 2860 (Int'l Bur. 1995) (authorizing MSS in the C-band); see also Application of Motorola Satellite Communications, Inc. for Modification of License, *Order and Authorization*, 11 FCC Rcd 13952-13956 (Int'l Bur. 1996) (authorizing service to fixed terminals in bands allocated the mobile satellite service).

[15] EchoStar 83° Waiver, ¶ 13.

from fixed service stations in the band. Accordingly, the earth stations operating in these bands pose no interference concerns with respect to co-frequency fixed service stations and therefore will not need to be coordinated with fixed service stations located within United States and its territories. The Commission has granted waivers under these conditions before.[16]

ITC Global also agrees to abide by the customer notification requirements that the International Bureau has previously imposed when granting waivers of NG52.[17] ITC Global will inform its customers in writing of the potential for interference from fixed service operations in the 10.95-11.2 GHz and 11.45-11.7 GHz bands.

III. CONCLUSION

Considering the foregoing, ITC Global respectfully requests that the Commission modify the Blanket VSAT License to (i) include authority to operate up to 25 of each of the VSAT Terminals; (ii) adding additional frequencies to its existing VSATs; (iii) adding the Yamal 300K satellite as an authorized point of communication by extending its U.S. market access authority in the relevant frequency bands; and (iv) permit operations of the VSAT Terminals, as well as previously licensed VSATs, in CONUS, Alaska, Hawaii, U.S. Territories, and adjacent waters. Grant of this modification and request for market access would serve the public interest by enabling ITC Global to optimize its ground station infrastructure to provide critical communications services to its customers, while meeting its growing business needs.

[16] *See, e.g.*, DirecTV Enterprises LLC, File No. SAT-RPL-20140221-00026 (stamp grant May 11, 2016).

[17] *See, e.g., id.*; *see also* Intelsat North America Request for Waiver, File No. SAT-MOD-20050610-00122, 3 (stamp grant Sept. 30, 2005); EchoStar 83º Waiver, ¶ 13.