

February 4, 2011

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



Re: Hagerstown, Maryland Earth Station Modification
Applications File Nos. SES-MOD-20090609-00714;
SES-MOD-20090609-00715; SES-MOD-20090609-
00716; SES-MOD-20090609-00717; and SES-MOD-
20090609-00718

Dear Ms. Dortch:

Intelsat License LLC (“Intelsat”)¹ files this letter to further supplement the above referenced applications seeking a waiver of Section 2.106 of the FCC’s rules, Footnote NG169 to the U.S. Table of Frequency Allocations to allow five of Intelsat’s Hagerstown, Maryland earth stations (call signs E030082, E030071, E030101, E030103, and E030100) to operate in the 3650-3700 MHz frequency band on a co-primary basis with terrestrial fixed services within a 90 km exclusion zone located entirely within an existing grandfathered zone. Specifically, Intelsat provides additional information below about the reason Intelsat seeks to operate with a smaller exclusion zone around these five Hagerstown antennas.

As previously explained, Intelsat currently leases the approximately 35 acres upon which the Clarksburg teleport sits (the “Clarksburg Property”).² Intelsat further previously explained that the Clarksburg Property has never been owned by Intelsat and that it was leased by Comsat World Systems prior to Intelsat’s acquisition of that company

¹ The licenses previously held by Intelsat LLC recently have been assigned to Intelsat License LLC. *See* Letter from Jennifer Hindin to Marlene H. Dortch, Notification of Consummation of *Pro Forma* Assignment and Transfer of Control and Name Change, File Nos. SES-ASG-20101203-01501, SES-ASG-20101206-01502, SES-T/C-20101203-01503, SES-ASG-20101203-01504, SES-ASG-20101206-01512, SAT-ASG-20101203-00251, SAT-ASG-20101203-00252, SAT-T/C-20101203-00253, SAT-T/C-20101203-00254, and 0004520968 (filed Jan. 18, 2011).

² *See* Letter from Susan H. Crandall, Intelsat, to Marlene H. Dortch, FCC (dated Dec. 8, 2010) at 1.

in 2002.³ That lease -- for an original ten-year term -- was entered into in September 1997 (the “Clarksburg Lease”) between Comsat World Systems and the owner of the Clarksburg Property – LCOR.

LCOR is not affiliated with Intelsat in any way. Intelsat has no knowledge of when LCOR acquired the Clarksburg Property or from whom. Neither Intelsat nor its predecessor in interest, the intergovernmental entity INTELSAT⁴, however, ever held an ownership interest in the Clarksburg Property or in LCOR.

For the past several years, Intelsat has been aware of LCOR’s plans to develop the Clarksburg Property, along with the adjacent 200-plus acres owned by LCOR that had previously been leased to Lockheed Martin Corporation.⁵ In February 2006, Intelsat exercised its right to extend the Clarksburg Lease for an additional five years – through September 11, 2012. Also in February 2006, Intelsat wrote to LCOR requesting an additional lease extension term of three years (2012-2015), with two one-year renewal options (2016 and 2017).

In November 2007, LCOR responded to Intelsat’s February 2006 letter, stating that LCOR had concluded that an extension of the Clarksburg Lease beyond September 2012 would likely conflict with development of the Clarksburg Property.⁶ In December 2008, Intelsat met with LCOR to discuss Intelsat’s timing concerns about relocating the teleport. Intelsat asked for a 12-month extension of the Clarksburg Lease, which LCOR agreed to. The Clarksburg Lease was amended in March 2009 to extend the lease term to September 11, 2013.⁷ LCOR has stated that it will not further extend the Clarksburg Lease. Intelsat

³ *Id.*

⁴ Substantially all of the assets of INTELSAT were transferred to the private company, Intelsat, in July 2001.

⁵ See Intelsat, Ltd., Annual Report (Form 10K), at 111 (April 16, 2006) available at

<http://www.sec.gov/Archives/edgar/data/1156871/000119312506081358/d10k.htm> (“[P]otential local development initiatives have occurred that have had or are reasonably expected to have a material adverse effect on our use of the Clarksburg facilities.”).

⁶ LCOR’s development plans show a new road and interchange with I-270 located on the Clarksburg Property.

⁷ Intelsat’s previous statement that the Clarksburg Lease would expire on September 30, 2013 was in error.

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has therefore commenced the process of vacating the Clarksburg Property by September 11, 2013.

As it prepares to shut down operations at the Clarksburg teleport, Intelsat has commenced relocating services currently on the Clarksburg antennas to antennas at its Mountainside teleport in Hagerstown, including the five antennas listed above.⁸ As previously noted, Intelsat carries commercial services in the 3650-3700 MHz band. All of these services are non-preemptible managed services with connectivity mostly to/from Africa. Some of Intelsat's customers in these bands are resellers – *i.e.*, are not the end-users of the capacity. Due to capacity constraints on Intelsat's satellites for U.S./Africa connectivity, Intelsat may not be able to move the customers in these frequencies to other C-band frequencies. Ensuring continuity of service to customers (and, by extension, their end-user customers) currently operating in these frequencies on grandfathered antennas, when Intelsat is closing its teleport due to circumstances outside of its control, is clearly in the public interest.

Additionally, Intelsat uses the 3650-3700 MHz frequency band to provide temporary launch and early orbit phase (“LEOP”) and in-orbit testing (“IOT”) services to third party satellite operators. Again, the public interest would be served by allowing Intelsat to continue to help launch new satellites by providing these critical LEOP and IOT services.

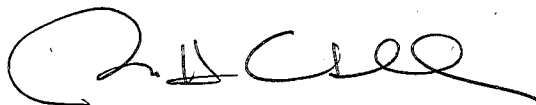
For the reasons set forth in the applications, this letter, and previous supplemental letters, Intelsat respectfully requests that the applications be granted.

⁸ Intelsat also has commenced relocating antennas from the Clarksburg teleport to the Mountainside teleport.

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Please direct any further questions regarding these applications to the undersigned at (202) 944-7848.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. H. Crandall". The signature is fluid and cursive, with a large initial "S" and a long horizontal stroke at the end.

Susan H. Crandall
Assistant General Counsel
Intelsat Corporation

Cc: Robert Nelson
Paul Blais
Karl Kensinger
Frank Peace
Peter Daronco
Stephen Buenzow