

EXHIBIT REGARDING TWO-DEGREE SPACING REQUIREMENT
AND ANTENNA PATTERNS (CALL SIGN KA399)

I. Introduction

Telesat Network Services, Inc. (“Telesat”) is filing the instant application to modify its existing authorization for Ku-band transmit/receive earth station and earth stations on vessels (“ESV”) operations under Call Sign KA399, in order to add two new antenna types to the latter ESV operations: (1) SeaTel 2406 and (2) SeaTel 6006.

Telesat is seeking authority to operate these antennas, which do not strictly comply with Section 25.209 of the Commission’s Rules. However, pursuant to Section 25.218 of the Commission’s Rules, an applicant may request routine processing of an application if it can provide documentation indicating that the proposed antenna operations would meet the applicable off-axis EIRP envelope.

Pursuant to the Part 25 Earth Station *Fifth Report and Order*, the International Bureau maintains a list of approved non-conforming earth station antennas. Earth station applicants proposing to use antennas on this list no longer need to attach antenna radiation plots as an exhibit to their applications, as required by section 25.132(b)(3) of the Commission’s Rules, 47 C.F.R. § 25.132(b)(3). Rather, applicants need only provide an attachment to their applications citing the particular antennas they plan to use, and an application file number and call sign of a license in which those antennas have been approved. Barring any countervailing considerations, the Bureau will consider granting the application for the non-conforming antennas, providing the applicant proposes the same kinds of services as the operator of the previously authorized antennas under the same or substantially similar operating conditions.

In the current case, Telesat is relying upon previous applications in which authority was sought and granted to operate SeaTel 2406 and 6006 antennas with similar parameters as its proposed earth station. *See first*, SES-LIC-20080623-00834, Call Sign E080147, license issued to Intelsat LLC to operate SeaTel 2406 antennas; and *second*, SES-MOD-20080310-00256, Call Sign KA313, license issued to Vizada, Inc. to operate SeaTel 6006 antennas. The International Bureau’s website listing approved non-routine earth station antennas does not yet appear to have been updated to include the two referenced antennas and their respective applications.

II. Summary and Certifications

The antenna patterns associated with the above-referenced applications exceed the sidelobe specification established in Section 25.209.

Telesat certifies that it will limit its pointing error to 0.5°.

Telesat further certifies that, pursuant to Section 25.222(b)(3) of the Commission's rules, the ESV antennas conform to the gain pattern criteria of 25.209(a) and (b) and that, combined with the input power density entered in Schedule B, the off-axis EIRP spectral density envelope in 25.222(a)(1) through (a)(4) will be met.

Telesat acknowledges that its proposed antenna will be protected from radio interference caused by other space stations only to the degree to which harmful interference would not be expected to be caused to an earth station employing an antenna conforming to the referenced patterns defined in Section 25.209.

For the foregoing reasons, Telesat respectfully requests that the modification application for new ESV authority be granted.