

REGARDING MODIFICATION OF LICENSE TO ADD EARTH STATION ON
VESSELS AUTHORITY TO COMMUNICATE WITH SEATEL ANTENNAS

I. Introduction

Telesat Network Services, Inc. (“Telesat”) is filing the instant application to modify its existing authorization for a Ku-band transmit/receive earth station under Call Sign KA399, in order to add earth stations on vessels (“ESV”) operations using the SeaTel 9797 antenna type, previously licensed to another operator by the International Bureau.

II. Previous Licensing of the Subject Antenna

Telesat is herein seeking authority to operate SeaTel 9797 ESV units, which do not strictly conform to the antenna pattern specified in 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. It is under this rule that Telesat is seeking authority to add its SeaTel antenna under Call Sign KA399.

Pursuant to the Part 25 Earth Station *Fifth Report and Order*, the International Bureau was directed to maintain a list of approved non-conforming earth station antennas. Earth station applicants, like Telesat, 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.

Telesat is herein providing the specific application reference upon which it is relying in order to add the SeaTel 9797 antenna to its KA399 license. Telesat respectfully requests that the Commission’s staff rely upon the following application materials in the instant request for ESV authority:

SES-MOD-20100216-00197
CapRock Communications, Inc.
Call Sign E060157

Also submitted with the instant request is a declaration provided to Telesat by Cobham SATCOM, manufacturer of the SeaTel series of antennas, attesting that the antennas meet the spectral density envelope set forth in Section 25.222(a)(1)-(4) of the Commission's Rules, when the devices are limited to input power levels equal to or less than those identified in Schedule B to the instant application.

III. Waiver of Section 25.222(a) in order to receive in 12500-12750 MHz band

Telesat's ESV services are provided using capacity in multiple coverage beams on Telstar 11N (Call Sign S2357). Telstar 11N provides coverage of Europe, the northern Atlantic Ocean, portions of Africa, portions of the Continental United States (CONUS), and the Gulf of Mexico.

By the instant amendment application, Telesat seeks to add receive frequencies to its license for the subject antenna types, inclusive of the use of the 12500-12750 MHz band, which band is required for communication with vessels of U.S. registry as well as to non-U.S. registered vessels travelling in waters around the Telstar 11N Europe and Africa beams. Telesat hereby respectfully requests waiver of Section 25.222(a) to permit it to receive in that frequency band exclusively in the Europe and Africa regions.¹

Grant of the instant waiver requests is in the public interest in that it will permit the Commission to grant Telesat's pending application and to begin immediately providing service to various customers who rely upon and are awaiting expanded ESV services.

IV. Request for Waiver: Waiver of the Use of Bureau's database of non-conforming antennas

The Part 25 Earth Station *Fifth Report and Order* established that the International Bureau would maintain a list of approved non-conforming earth station antennas upon which applicants should rely for using the procedure under Section 25.218. However, the International Bureau's website listing approved non-routine earth station antennas has not been updated to include the referenced antennas and the applications identified above that the Commission granted previously to authorize use of the antennas. Accordingly, Telesat hereby respectfully requests a waiver to accept its use of materials submitted by various applicants that is not reflected in the Bureau's database of non-conforming antennas.

¹ The Commission previously granted Telesat such a waiver request when it granted a previous modification application for KA399 to operate SeaTel 4003A antennas and SeaTel 4006 antennas. *See* SES-MOD-20090206-00154.

V. 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.