

December 28, 2006

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

**Re: PETITION TO DENY  
SES Americom, Inc. Request for Special Temporary Authority  
File No. SES-STA-20061211-02123  
File No. SES-STA-20061211-02124  
File No. SES-STA-20061211-02126  
File No. SES-STA-20061211-02127  
File No. SES-STA-20061211-02128**

Dear Ms. Dortch:

As you will be well aware, the Federal Communication Commission and the Comisión Nacional de Comunicaciones (CNC) of the Republic of Argentina entered into a Coordination Agreement regarding the use of the 81°W orbital position during the past months of July and August 1998.

Therefore, the FCC has required the companies interested in obtaining STAs to use the mentioned resource, to request a letter from the CNC stating that it has no objections regarding the same.

Although on this occasion the CNC has not received a request such as the aforementioned, you will find, as follows, the position of the Administration of Argentina regarding this issue:

**Rights before the International Telecommunication Union (ITU)**

The Administration of Argentina notified the ITU on October 17th 2005 the bringing into use of the P.P.SAT-1 satellite system (former NAHUEL F) at 81°W orbital position.

The Director of ITU Radiocommunication Bureau announced to the 39<sup>o</sup> Meeting of the ITU Radio Regulations Board that the “P.P.SAT–1 satellite network located at 81° W had

been brought into use on October 17th 2005, that is to say, within the regulatory term provided by §11.44 of the Radio Regulations”<sup>1</sup>

The 40th RRB Meeting received a communication from the Administration of the Office of Communications (OFCOM) of the United Kingdom challenging the information provided by Argentina regarding the bringing into use of the mentioned satellite system. In this sense, “the Board took into consideration and reviewed all the applicable and available information and determined that there is no need to give new instructions to the RB in connection with the P.P. SAT – 1 satellite networks”<sup>2</sup>

The Administration of Argentina notified ITU about the suspension of use of the allocation to P.P.SAT-1 (81°W) satellite system on November 19th 2005, in accordance with section §11.49 of the Radio Regulations.

### **Argentina’s Satellite Project**

The Republic of Argentina started an ambitious development of the national satellite industry with the creation and organization of the EMPRESA ARGENTINA DE SOLUCIONES SATELITALES AR-SAT (ARSAT) upon the passing of the Bill 26.092 of April 5, 2006.

In such Act 26.092, ARSAT was authorized to use the 81°W orbital position and its associated frequency bands.

ARSAT is compelled by the National State to occupy and bring into service a satellite system at 81°W orbital position by but no later than July 30th 2007 (Last deadline date)

ARSAT has started negotiations to procure the necessary resources in order to comply with the mentioned obligations as soon as possible.

### **Conclusions**

Within this background, the CNC of the Republic of Argentina respectfully requests the FCC denies the application of the STA filed by SES Americom Inc., as well as any other STA application that might be filed in the future, until the Administration of Argentina, through its company ARSAT, brings again into service the allocation of the satellite system on a regular basis.

Respectfully yours,

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<sup>1</sup> Summary of Decisions of the 39th Meeting of the Radio Regulations Board. Item no. 4 (Document RRB05-4/5, December 9 2005)

<sup>2 2</sup> Summary of Decisions of the 40th Meeting of the Radio Regulations Board. Item no. 9 (Document RRB06-1/8, February 24 2006.)

[NAME]  
[TITLE]  
[CONTACT INFORMATION]

Cc: John Giusti, Acting Bureau Chief  
International Bureau  
Federal Communications Commission  
E-mail: [John.Giusti@fcc.gov](mailto:John.Giusti@fcc.gov)

Robert Nelson, Chief, Satellite Division  
International Bureau  
Federal Communications Commission  
E-mail: [Robert.Nelson@fcc.gov](mailto:Robert.Nelson@fcc.gov)

Scott Kotler  
Chief, System Analysis Branch  
International Bureau  
Federal Communications Commission  
E-mail: [Scott.Kotler@fcc.gov](mailto:Scott.Kotler@fcc.gov)

Mr. James R. Barker  
SES Americom, Inc.  
Four Research Way  
Princeton, NJ 08540 -6684  
U.S.A.  
Telephone: +1-609-987-4062  
Fax: +1-609-987-4260  
E-Mail: [jim.barker@ses-amicom.com](mailto:jim.barker@ses-amicom.com)



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INSTITUCIONALES  
COMISIÓN NACIONAL DE COMUNICACIONES