

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

Earth Station E980076

SES Americom, Inc. ("SES Americom") hereby requests special temporary authority ("STA") for a period of 30 days commencing no later than March 12, 2010 to permit earth station E980076 to communicate with the NSS-5 spacecraft using the conventional C-band frequencies, pending the grant of the related Petition for Declaratory Ruling to add NSS-5 to the Permitted Space Station List.¹ The grant of this STA will enable provision of timely capacity to a customer, Afsat Communications (Africa) Ltd ("Afsat"). Specifically, use of the E980076 earth station with NSS-5 will support Afsat's mission of providing high-end satellite network solutions for corporations, banks, and government organizations in East and Central Africa.² SES Americom intends to file a modification application to enable use of the E980076 earth station to support Afsat operations in the longer term.

NSS-5 is a Netherlands-licensed C- and Ku-band spacecraft operated by New Skies Satellites B.V. (doing business as "SES WORLD SKIES") that will arrive at the 20.0° W.L. (340.0° E.L.) orbital location on or about February 26, 2010. SES WORLD SKIES filed the Petition to add the conventional C-band payload on the NSS-5 satellite to the Permitted Space Station List at the 20.0° W.L. orbital location on December 8, 2009. The Petition is pending before the Commission.

As noted in the Petition, the Intelsat 603 spacecraft is currently operating in inclined orbit at 19.95° W.L. under an FCC license. In order to better serve customers from that orbital location, Intelsat and SES WORLD SKIES entered into an agreement to provide for station-kept replacement capacity at 20.0° W.L. using the NSS-5 satellite. The agreement contemplates that SES WORLD SKIES will control the satellite and operate the C-band payload under its Dutch license, and that Intelsat will operate the Ku-band payload on NSS-5 under its FCC license. Intelsat filed an application to replace the Ku-band portion of its Intelsat 603 satellite with the Ku-band payload on NSS-5 on December 8, 2009.³ This Intelsat application was accepted for filing and placed on public notice by the FCC on February 5, 2010.

Full technical information regarding NSS-5 is already on file with the FCC in the pending Petition, which included a completed Schedule S and a narrative technical appendix. SES Americom hereby incorporates these materials by reference herein.

¹ See SAT-PPL-20091208-00142 (filed Dec. 8, 2009) (the "Petition").

² Afsat will be accessing the NSS-5 satellite using only the 9.3 meter antenna on the E980076 license in the following frequencies: 6014.0 MHz – 6086.0 MHz (uplink) and 3789.0 MHz – 3861.0 MHz (downlink). The bandwidth of the proposed operations is expected to range from 54 MHz (54M0G7D) down to 0.36 MHz (360KG7D) and all transmissions will be within the coordinated power density limit of 43.30 dBW/4kHz listed on the E980076 license.

³ See IBFS File No. SAT-A/O-20091208-0014.

SES WORLD SKIES has coordinated the proposed NSS-5 C-band operations with potentially affected satellite operators consistent with industry practice and the ITU Radio Regulations. NSS-5 C-band operations have been designed to operate at the 20.0° W.L. orbital location fully within the existing coordination envelope that covers Intelsat 603 today. Thus, grant of the requested STA would maintain the existing operational and interference environment for satellite systems located in this portion of the arc. Moreover, earth station E980076 is already coordinated to operate with satellites as far east as 20.0° W.L., which is where NSS-5 will be located. SES Americom will be in regular contact with SES WORLD SKIES and Intelsat to ensure that all operations occur on a non-interfering basis.

The Petition also includes a showing pursuant to the FCC's *DISCO II* framework⁴ applicable to use of foreign-licensed spacecraft to serve the United States. *See* Petition, legal narrative at 4-8. That showing is hereby incorporated by reference. Grant of the requested STA is in the public interest as it will enable SES Americom to use the E980076 earth station to support Afsat's provision of international network services to East and Central Africa.

⁴ *See Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Services in the United States*, 12 FCC Rcd 24094 (1997) ("*DISCO II*").