

KL92 SES-STA-20110907-01043 IB2011004198  
Intelsat License LLC

Approved by OMB  
3060-0678

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
STA for Earth Station KL92 to Provide LEOP Services for the Atlantic Bird 7 Satellite

1. Applicant

Name:	Intelsat License LLC	Phone Number:	202-944-7848
DBA Name:		Fax Number:	202-944-7870
Street:	c/o Intelsat Corporation 3400 International Drive, N.W.	E-Mail:	susan.crandall@intelsat.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20008 -3006
Attention:	Susan H Crandall		

*30 days "with conditions"*



File # SES-STA-20110907-01043  
Call Sign KL92 Grant Date 09/21/2011  
(or Other Identifier) Term Dates  
From 09/21/2011 To 10/21/2011  
Approved: Paul E. Blum


Conditions of Grant of SES-STA-20110907-01043  
Call Sign KL92

Intelsat Licenses LLC is granted Special Temporary Authority to provide launch and early orbit phase services for the Atlantic Bird 7 satellite that is expected to be launched on September 22, 2011.

The permanent orbital location for Atlantic Bird 7 will be 7.0° W.L. The satellite will be in-orbit tested at 13.2° W.L.

Operations will be performed in the following frequency bands: 14250.0 MHz and 14499.8 MHz (uplink) and 11199.5 MHz, 11200.5 MHz, 12498.0 MHz and 12499.0 MHz (downlink). Earth station operations are limited to transmission and reception parameters coordinated within the parameters Exhibit B to form 312 of this application under the following conditions.

1. All operations shall be on an unprotected and non-harmful interference basis, i.e., Intelsat shall not cause harmful interference to, and shall not claim protection from, interference caused to it by any other lawfully operating station.
2. In the event that there is a report of interference, Intelsat must immediately terminate transmissions and notify the FCC in writing.
3. Intelsat must comply with all FAA antenna height restrictions defined in 47 CFR Part 17.
4. The LEOP operations will be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path. All operators of satellites in that path will be provided with an emergency phone number where the licensee can be reached in the event that harmful interference occurs. The 24x7 contact information for the Atlantic Bird 7 LEOP mission is as follows: Ph.: (202) 944-7701 – East Coast Operations Center (primary);(310) 525-5900 – West Coast Operations Center (back-up). Request to speak with Harry Burnham or Kevin Bell.
5. Intelsat must make all reasonable and customary measures to ensure that the earth station does not create a potential for harmful non-ionizing radiation to persons who may be in the vicinity of the earth station when it is in operation. At a minimum, permanent warning labels shall be fixed to the earth station and its housing warning of the radiation hazard and including a diagram showing the regions around the earth station where radiation levels could exceed 1 .0mW/cm<sup>2</sup>. The earth station operator shall be responsible for assuring that individuals do not stray into the regions around the earth station where there is a potential for exceeding the maximum permissible exposure limits required by 47 C.F.R. §1.1310. This shall be accomplished by means of signs, caution tape, verbal warnings, placement of the earth station so as to minimize access to the hazardous region, and/or other appropriate means.

 <b>GRANTED</b> International Bureau	<u>SES-STA-20110907-01043</u>
	Call Sign <u>KL92</u> Grant Date <u>09/21/2011</u> (or other identifier)
	From <u>09/22/2011</u> Term Dates To: <u>10/21/2011</u>
	Approved: <u>Paul E. Adams</u>

*With conditions*

September 7, 2011

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



Re: Request for Special Temporary Authority  
Castle Rock, Colorado Earth Station KL92

Dear Ms. Dortch:

Intelsat License LLC ("Intelsat") herein requests a grant of Special Temporary Authority ("STA")<sup>1</sup> for 30 days, from September 22, 2011 through October 21, 2011, to use its Castle Rock, Colorado Ku-band earth station -- call sign KL92 -- to provide launch and early orbit phase ("LEOP") services for the Atlantic Bird 7 satellite that is expected to be launched on September 22, 2011.<sup>2</sup> The LEOP period is expected to last approximately 10 days.<sup>3</sup>

The Atlantic Bird 7 LEOP operations will be performed in the following frequency bands: 14250.0 MHz and 14499.8 MHz (uplink) and 11199.5 MHz, 11200.5 MHz, 12498.0 MHz and 12499.0 MHz (downlink). The LEOP operations will be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path.<sup>4</sup> All operators of satellites in that path will be provided with an emergency phone number where the licensee can be reached in the event that harmful interference occurs.

The 24x7 contact information for the Atlantic Bird 7 LEOP mission is as follows:

Ph.: (202) 944-7701 – East Coast Operations Center (primary)  
(310) 525-5900 – West Coast Operations Center (back-up)  
Request to speak with Harry Burnham or Kevin Bell.

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<sup>1</sup> Intelsat has filed its STA request, an FCC Form 159, a \$180.00 filing fee and this supporting letter electronically via the International Bureau's Filing System ("IBFS").

<sup>2</sup> The permanent orbital location for Atlantic Bird 7 will be 7.0° W.L. The satellite will be in-orbit tested at 13.2° W.L.

<sup>3</sup> Intelsat is seeking authority through October 21, 2011 to accommodate a possible launch delay.

<sup>4</sup> Telespazio, which is managing the Atlantic Bird 7 launch mission, is handling the coordination.


Ms. Marlene H. Dortch  
September 7, 2011  
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In further support of this request, Intelsat is attaching Exhibits A and B, which contain a waiver request, as well as technical information that demonstrates that the operation of the earth station will be compatible with its electromagnetic environment and will not cause harmful interference into any lawfully operating terrestrial facility. In the extremely unlikely event that harmful interference should occur due to transmissions to or from its earth station, Intelsat will take all reasonable steps to eliminate the interference.

Grant of this STA request will allow Intelsat to help launch the Atlantic Bird 7 satellite to the 7.0° W.L. location. This, in turn, will help provide continuity of service at that location, and thereby promote the public interest.

Please direct any questions regarding this STA request to the undersigned at (202) 944-7848.

Respectfully submitted,



Susan H. Crandall  
Assistant General Counsel  
Intelsat Corporation

Cc: Paul Blais

## Exhibit A

### PETITION FOR WAIVER OF SECTIONS 25.137 AND 25.114

Pursuant to Section 25.137 of the Federal Communications Commission's ("Commission" or "FCC") rules, earth station applicants "requesting authority to operate with a non-U.S. licensed space station *to serve the United States*" must demonstrate that effective competitive opportunities exist and must provide the same technical information required by Section 25.114 for U.S.-licensed space stations.<sup>1</sup> Intelsat License LLC ("Intelsat") herein seeks authority to provide launch and early orbit phase ("LEOP") services -- not commercial services -- to the United States, and thus believes that Section 25.137 does not apply.

To the extent the Commission determines, however, that Intelsat's request for authority to provide LEOP services on a special temporary basis is a request to serve the United States with a non U.S.-licensed satellite, Intelsat respectfully requests a waiver of Sections 25.137 and 25.114 of the Commission's rules.<sup>2</sup> The Commission may grant a waiver for good cause shown.<sup>3</sup> The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.<sup>4</sup> In granting a waiver, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>5</sup> Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

In this case, good cause exists for a waiver of both Section 25.137 and Section 25.114. With respect to Section 25.114, Intelsat seeks authority only to provide LEOP services for the Atlantic Bird 7 satellite. The information sought by Section 25.114 is not relevant to LEOP services. Moreover, Intelsat does not have -- and would not easily be able to obtain -- such information because Intelsat is not the operator of the Atlantic Bird 7 satellite, nor is Intelsat in contractual privity with that operator. Rather, an affiliate of Intelsat has a contract with Telespazio, the LEOP mission manager hired by the manufacturer of the Atlantic Bird 7 satellite, to conduct LEOP services for the satellite.

The information that Intelsat is not including is not required to determine potential harmful interference. The Schedule S information for this satellite would pertain to the operation of the Atlantic Bird 7 satellite at its final orbital location. However, the present application for LEOP services involves communications *prior* to the satellite attaining its final location in the geostationary orbit. In other words, during the LEOP mission, the earth station will not be communicating with a satellite located in the geostationary orbit. Rather, it will be transmitting

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<sup>1</sup> 47 C.F.R. § 25.137 (emphasis added).

<sup>2</sup> 47 C.F.R. §§ 25.137 and 25.114.

<sup>3</sup> 47 C.F.R. §1.3.

<sup>4</sup> *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) ("*Northeast Cellular*").

<sup>5</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

to a satellite traveling on its “transfer orbit” or “LEOP path”, which starts immediately following its separation from a launch vehicle, and ends when the satellite reaches its geostationary orbital location. Moreover, as with any STA, Intelsat will perform the LEOP services on a non-interference basis.

Because it is not relevant to the service for which Intelsat seeks authorization, and because obtaining the information would be a hardship, Intelsat seeks a waiver of all the information required by Section 25.114. Intelsat has provided in this STA request the required technical information that is relevant to the LEOP services for which Intelsat seeks authorization.

Good cause also exists to waive Section 25.137. Section 25.137 is designed to ensure that “U.S.-licensed satellite systems have effective competitive opportunities to provide analogous services” in other countries. Here, there is no service being provided by the satellite; it is simply being placed in its orbital location after separating from the launch vehicle. Thus, the purpose of the information required by Section 25.137 is not implicated here. For example, Section 25.137(d) requires earth station applicants requesting authority to operate with a non-U.S.-licensed space station that is not in orbit and operating to post a bond.<sup>6</sup> The underlying purpose in having to post a bond—*i.e.*, to prevent warehousing of orbital locations by operators seeking to serve the United States—would not be served by requiring Intelsat to post a bond in order to provide approximately ten days of LEOP services to the Atlantic Bird 7 satellite.

It is Intelsat’s understanding that Atlantic Bird 7 is licensed by France, which is a WTO-member country. Should the operator of Atlantic Bird 7 wish to serve the United States, it will have to seek market access for the satellite and provide the information required by Section 25.137. Thus, the purposes of Section 25.137—to ensure that U.S. satellite operators enjoy “effective competitive opportunities” to serve foreign markets and to prevent warehousing of orbital locations serving the United States—will not be undermined by grant of this waiver request.

Finally, Intelsat notes that it expects to operate with the Atlantic Bird 7 satellite using its U.S. earth station for a period of approximately ten days. Requiring Intelsat to obtain copious technical and legal information from an unrelated party, where there is no risk of harmful interference and the operations will cease after approximately ten days, would pose undue hardship without serving underlying policy objectives. Given these particular facts, the waiver sought herein is plainly appropriate.

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<sup>6</sup> See 47 C.F.R. §25.137(d)(4).

**2. Contact**

<b>Name:</b>	Susan H. Crandall	<b>Phone Number:</b>	202-944-7848
<b>Company:</b>	Intelsat Corporation	<b>Fax Number:</b>	202-944-7870
<b>Street:</b>	3400 International Drive, N.W.	<b>E-Mail:</b>	susan.crandall@intelsat.com
<b>City:</b>	Washington	<b>State:</b>	DC
<b>Country:</b>	USA	<b>Zipcode:</b>	20008 -3006
<b>Attention:</b>	Susan H. Crandall	<b>Relationship:</b>	Legal Counsel

(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)

3. Reference File Number or Submission ID

4a. Is a fee submitted with this application?

- Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
- Governmental Entity
- Noncommercial educational licensee
- Other (please explain):

4b. Fee Classification CGX – Fixed Satellite Transmit/Receive Earth Station

5. Type Request

- Use Prior to Grant
- Change Station Location
- Other

6. Requested Use Prior Date

7. City Castle Rock

8. Latitude  
(dd mm ss.s h) 39 16 38.0 N



9. State CO	10. Longitude (dd mm ss.s h) 104 48 25.0 W
11. Please supply any need attachments. Attachment 1: STA Request Attachment 2: Exhibit A Attachment 3: Exhibit B	
12. Description. (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) IntelSAT License LLC herein requests a grant of Special Temporary Authority for 30 days, from September 22, 2011 through October 21, 2011, to use its Castle Rock, Colorado Ku-band earth station, call sign KL92, to provide launch and early orbit phase services for the Atlantic Bird 7 satellite that is expected to be launched on September 22, 2011.	
13. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. <input checked="" type="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing Susan H. Crandall	15. Title of Person Signing Asst. General Counsel, IntelSAT Corporation
WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).	



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