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SES-STA-20120418-00374 IB2012001065  
Universal Space Network, Inc.

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:  
Metop-B LEOP USN Alaska RGS

1. Applicant

<b>Name:</b>	Universal Space Network, Inc.	<b>Phone Number:</b>	215-328-9130
<b>DBA Name:</b>		<b>Fax Number:</b>	215-328-9132
<b>Street:</b>	417 Caredean Drive Suite A	<b>E-Mail:</b>	jpgreet@uspacenet.com
<b>City:</b>	Horsham	<b>State:</b>	PA
<b>Country:</b>	USA	<b>Zipcode:</b>	19044 -
<b>Attention:</b>	Joanne Greet		

*"with conditions"*



File # SES-STA-20120418-00374

Call Sign NA Grant Date 9/11/2012  
(or other identifier)

Term Dates  
From 9/17/2012 To: 10/14/2012

Approved: Paul E. Bloor

**Conditions of grant of SES-STA-20120418-00374**

Universal Space Network Inc. is granted authorization operated the earth station identified in this application on transmit frequency 2053.4583 MHz and receive frequency 2230.0 MHz. to METOP-B on the following conditions:

1. All operations shall be on an unprotected, non-interference basis to both government and non-government operations.
2. In the event of any harmful interference, cease operations immediately and inform the Commission, in writing, immediately.
3. All operations shall be limited to telemetry, tracking, and control (TT&C)
4. Universal Space Network will inform NTIA (Skotler@ntia.doc.gov, 202-482-7983) and the FCC (Paul.Blais @ 202-418-7274) at least 24 hours prior to the if planned operations are delayed
5. The Universal Space Network Point of Contact for Operation is 215-394-0155 and must be available while the frequencies are in use.

*"with conditions"*



File # SES - STA-2012-0418-00374

Call Sign N/A Grant Date 9/11/2012  
(or other identifier)

Term Dates

From 9/17/2012 To: 10/14/2012

Approved: Paul E. Blais

**2. Contact**

<b>Name:</b>	Universal Space Network, Inc.	<b>Phone Number:</b>	215-328-9130
<b>Company:</b>		<b>Fax Number:</b>	215-328-9132
<b>Street:</b>	417 Caredean Drive Suite A	<b>E-Mail:</b>	jswank@uspacenet.com
<b>City:</b>	Horsham	<b>State:</b>	PA
<b>Country:</b>	USA	<b>Zipcode:</b>	19044 -
<b>Attention:</b>	Joanne Greet	<b>Relationship:</b>	Same

(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?

- If 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  
05/18/2012

7. City North Pole

8. Latitude  
(dd mm ss.s h) 64 48 15.3 N

9. State AK	10. Longitude (dd mm ss.s h) 147 30 0.8 W
11. Please supply any need attachments. Attachment 1: FCC For 312                      Attachment 2: coordination report                      Attachment 3: Waiver request	
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.) <div style="border: 1px solid black; padding: 5px; margin: 10px 0;">Provide LEOP TT&amp;C services in support of the Metop-B currently scheduled for launch on May 23, 2012. Request approval by 5/18/2012</div>	
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 Joanne Greet	15. Title of Person Signing Manager, Compliance & Contracts
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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**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

**Exhibit C**

**PETITION FOR WAIVER OF SECTION 25.137 AND 25.114 AND OF  
THE U.S. TABLE OF FREQUENCY ALLOCATIONS**

**I. TO THE EXTENT THEY APPLY, GOOD CAUSE EXISTS FOR A WAIVER OF  
CERTAIN PORTIONS OF SECTIONS 25.137 AND 25.114**

Universal Space Network, Inc. (USN) is provided limited legal and technical information for the METOP Satellite (formally called EPS).<sup>1</sup> Pursuant to Section 25.137 of the Federal Communications Commission's ("Commission" or "FCC") rules, the same technical information required by Section 25.114 for U.S.-licensed space station, and certain legal information, must be submitted by earth station applicants "requesting authority to operate with a non-U.S. licensed space station to serve the United States..."<sup>2</sup> USN seeks authority to support the needed Telemetry, Tracking, and Control ("TT&C") during launch and early orbit support ("LEOP") of the METOP spacecraft from launch to a polar orbit, not commercial service to the United States, and thus believes that Section 25.137 does not apply.

To the extent the Commission determines, however, that USN's request for authority to provide LEOP on a special temporary basis is a request to serve the United States with a non-U.S.-licensed satellite, USN respectfully requests a waiver of Sections 25.137 and 25.114 of the Commission's rules, to the extent that USN has not herein provided the information required by these rules.<sup>3</sup> The Commission may grant a waiver for good cause shown.<sup>4</sup> A 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 for a waiver of portions of Section 25.114 exists. USN seeks authority only to conduct LEOP support for METOP. Thus, any information sought by Section 25.114 that is not relevant to the LEOP – e.g., antenna patterns, energy and propulsion and orbital debris - USN does not have. In addition, USN would not easily be able to obtain such information because USN is not the operator of the METOP satellite, nor is USN in contractual privity with that operator. Rather, USN has contracted with Swedish Space Corporation, the ground support provider, to support the initial polar orbit in S-Band of the satellite prior to its meteorological operation.

As evidenced by the Comsearch report attached to this request, USN has coordinated the LEOP of the METOP satellite with potentially affected terrestrial operators. Moreover, as with any STA, USN will conduct the LEOP on an unprotected, non-interference basis to government operations.

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<sup>1</sup> FCC Form 312 Section B

<sup>2</sup> 47 C.F.R. § 25.137(a)

<sup>3</sup> 47 C.F.R. §§25.137 and 25.114

<sup>4</sup> 47 C.F.R. §1.3

Because it is not relevant to the service for which USN seeks authorization, and because obtaining the information would be a hardship, USN seeks a waiver of all the technical and legal information required by Section 25.114, to the extent it is not provided herein. As noted above, USN has provided the required information to the extent that it is relevant to the LEOP service for which USN seeks authorization.

Good cause also exists to waive portions of Section 25.137, to the extent the information required is not herein provided. 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; USN is providing TT&C while the satellite is on the way to its geosynchronous parking orbit. 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>5</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 USN to post a bond in order to conduct 10 days of LEOP support of the METOP satellite.

It is USN’s understanding that METOP is licensed by Eutelsat. METOP is a European domestic television and communications satellite, and due to its parking slot in geosynchronous orbit can not technically serve the United States. Thus, the purpose 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 service the United States – will not be undermined by grant of this waiver request.

Finally, USN notes that it expects to communicate with the METOP satellite using its U.S. earth station for a period of only 10 days. Requiring USN to obtain technical and legal information from an unrelated party, where there is no risk of interference and the operation will cease within 10 days would pose undue hardship without serving underlying policy objectives. Given these particular facts, the waiver sought herein is appropriate.

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<sup>5</sup> 47 C.F.R. §25.137(d)(4)

## II. GOOD CAUSE EXISTS FOR A WAIVER OF THE UNITED STATES TABLE OF FREQUENCY ALLOCATIONS

USN further requests a waiver of the United States Table of Frequency Allocations ("U.S. Table") as described in section 2.106 of the rules for the frequency bands 2025 – 2110 MHz (Earth-to-Space) and 2200 – 2290 MHz (Space-to-Earth).<sup>6</sup> Section footnotes allow for non-federal Government use of these bands in the United States on a case-by-case non-interference basis. Such use by USN necessitates a waiver of the U.S. Table.

Good cause exists to grant USN a limited waiver of the U.S. Table to allow LEOP of the METOP satellite. In considering request for case-by-case spectrum uses, the Commission has indicated that it would generally grant such waivers "where there is little potential for interference into any service authorized under the Table of Frequency Allocations and when the case-by-case operator accepts any interference from authorized services."<sup>7</sup> USN will coordinate with other parties operating communication systems in compliance with the Table of Frequency Allocations to ensure that no harmful interference is caused. USN seeks to operate only pursuant to special temporary authorization and thus agrees to accept any interference from authorized services. In summary, USN's operation on a non-interference, non-protected basis support waiver of the U.S. Table.

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<sup>6</sup> 47 C.F.R. §2.106

<sup>7</sup> Previously approved STA's for Universal Space Network SES-STA-20020725-01174; SES-STA-20021112-02008; SES-STA-20040315-00475.