

## Exhibit A

### SECTIONS 25.137 AND 25.114

The legal and technical qualifications of the Star One C3 satellite have already been approved by the Commission and are included herein by reference. Specifically, the legal information requested in Section 25.137 and the technical information requested in Section 25.114, including the Schedule S information, for the Star One C3 satellite can be found in *Star One S.A. Letter of Intent to Access the U.S. Market in the Extended Ku-Band from the 75 W.L. Orbital Location*, File No. SAT-LOI-20110914-00180 (stamp grant issued June 29, 2012, with conditions).

To the extent necessary, however, Intelsat respectfully requests a waiver of the need to provide additional technical information under Section 25.114 of the Commission's rules for its proposed LEOP service.<sup>1</sup> The Commission may grant a waiver for good cause shown.<sup>2</sup> The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.<sup>3</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>4</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 Section 25.114. Intelsat has provided in this STA request the technical information that is relevant to the LEOP services for which Intelsat seeks authorization. The remainder of the information sought by Section 25.114 is not required to determine potential harmful interference because Intelsat will perform the LEOP services on a non-interference basis. Nor is it required to protect adjacent satellites because LEOP service 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 permanently located in the geostationary orbit. Rather, it will be transmitting 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. In the special circumstance of LEOP services, waiver of the need to provide additional technical information under Section 25.114 serves the public interest.

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<sup>1</sup> 47 C.F.R. § 25.114.

<sup>2</sup> 47 C.F.R. §1.3.

<sup>3</sup> *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) ("*Northeast Cellular*").

<sup>4</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.