

KA258 SES-STA-20130523-00447 IB2013001127
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:
Request for STA for Hagerstown, Maryland Earth Station KA258

I. Applicant


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

File # SES STA 20130523-00447

Call Sign KA258 Grant Date 7/25/13
(or other identifier)

Term Dates
From 8-13-13 To 9-17-13

Approved: *Susan H. Crandall*



GRANTED
International Bureau

Applicant: Intelsat License LLC
Call Sign: KA258
File No.: SES-STA-20130523-00447
Special Temporary Authority (STA)

Intelsat is granted, under the following conditions, STA for 30 days to use its earth station at Hagerstown, Maryland to provide launch and early orbit phase (LEOP) services for the Israel licensed AMOS-4 satellite at its permanent orbital location 65.0° E.L. The satellite is expected to be launched on August 13, 2013.

1. Uplink to AMOS-4 satellite on 13750.0 MHz, 14000.0 MHz, 14250.0 MHz, and 14500.0 MHz (CP) within coordinated emission and power limits.
2. Downlink from AMOS-4 satellite on 10703.0 MHz, 11698.5 MHz (CP).
3. NTIA is approving the power level of 88dBW, which is higher than US356 recommends, due to the remote location.
4. The LEOP operations must 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. Currently the 24x7 contact information for the AMOS-4 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. All operations shall be on an unprotected and non-harmful interference basis, Intelsat License LLC, KA258, shall not cause harmful interference to, and shall not claim protection from, interference caused to it by any other lawfully operating station and it shall cease transmission(s) immediately upon notice of such interference.
6. All operations under this grant of special temporary authority must be on an unprotected and non-harmful interference basis, *i.e.*, Intelsat must not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating station.
7. In the event of any harmful interference under this grant of special temporary authority, Intelsat must cease operations immediately upon notification of such interference, and must inform the Commission, in writing, immediately of such an event.
8. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at Intelsat License LLC's risk.
9. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately.



SES-STA-20130523-00447
Call Sign KA258 Grant Date 7-25-13
(or other identifier)
Term Dates
From 8-13-13 To: 9-12-13
Approved: [Signature] [Signature]

2. Contact	
Name: Susan H. Crandall	Phone Number: 202-944-7848
Company: Intelsat Corporation	Fax Number: 202-944-7870
Street: 3400 International Drive, N.W.	E-Mail: susan.crandall@intelsat.com
City: Washington	State: DC
Country: USA	Zipcode: 20008 -3006
Attention: Susan H. Crandall	Relationship: 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?	
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).	
<input checked="" type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee	
<input checked="" type="radio"/> Other (please explain):	
4b. Fee Classification CGX - Fixed Satellite Transmit/Receive Earth Station	
5. Type Request	
<input checked="" type="radio"/> Use Prior to Grant <input type="radio"/> Change Station Location <input checked="" type="radio"/> Other	
6. Requested Use Prior Date	
7. City/Hagerstown	
8. Latitude (dd mm ss.s h) 39 35 54.0 N	

9. State MD	10. Longitude (dd mm ss.s h) 77 45 33.0 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.) <div style="border: 1px solid black; padding: 5px;"> <p>Intelsat License LLC herein requests a grant of Special Temporary Authority for 30 days, commencing August 13, 2013, to use its Hagerstown, Maryland Ku-band earth station, call sign KA258, to provide launch and early orbit phase services for the AMOS-4 satellite that is expected to be launched on August 13, 2013.</p> </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. Yes <input checked="" type="radio"/> No <input type="radio"/>	
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).	

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

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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 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.¹ 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.²

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.³ The Commission may grant a waiver for good cause shown.⁴ The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.⁵ 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.⁶ 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 AMOS-4 satellite. The information sought by Section 25.114 is not relevant to LEOP services. Moreover, Intelsat does not have such information because Intelsat is not the operator of the AMOS-4 satellite. Rather, an affiliate of Intelsat has a contract with Telespazio, the LEOP mission manager of the AMOS-4 satellite, to conduct LEOP services for the satellite.

¹ 47 C.F.R. § 25.137 (emphasis added).

² See *EchoStar Satellite Operating Company Application for Special Temporary Authority Related to Moving the EchoStar 6 Satellite from the 77° W.L. Orbital Location to the 96.2° W.L. Orbital Location, and to Operate at the 96.2° W.L. Orbital Location*, DA 13-593, File No. SAT-STA-20130220-00023 (released Apr. 1, 2013) (noting that operating TT&C earth stations in the United States with a foreign-licensed satellite does not constitute "DBS service").

³ 47 C.F.R. §§ 25.137 and 25.114.

⁴ 47 C.F.R. §1.3.

⁵ *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) ("*Northeast Cellular*").

⁶ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

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 AMOS-4 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 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 Intelsat does not possess the information, 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.⁷ 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 AMOS-4 satellite.

It is Intelsat’s understanding that AMOS-4 is licensed by Israel, which is a WTO-member country. It is also Intelsat’s understanding that at 65.0° E.L., AMOS-4 will not serve the United States. 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 AMOS-4 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.

⁷ See 47 C.F.R. §25.137(d)(4).

Exhibit B

Request for Waiver of Footnote 2 of Section 25.202(a)(1) and Footnote NG104 of the U.S. Table of Allocations

To the extent necessary, Intelsat also requests waiver of Section 25.202(a)(1) and Footnote NG104 of the U.S. Table of Allocations, which restrict the use of the 10700-11700 MHz band by the non-federal fixed satellite service in the geostationary orbit to international systems only.¹ Good cause exists to waive the international systems only requirement for the 10700-11700 MHz frequency band. The purpose of NG104 and footnote 2 of Section 25.202(a)(1) is to limit the number of fixed satellite service earth stations with which the co-primary fixed service would need to coordinate.² Intelsat will provide LEOP services in the 10700-11700 MHz frequency band only on a non-interference/non-protected basis and, therefore, will not need to coordinate with fixed service stations.

Moreover, grant of this waiver is consistent with the Commission's precedent. A waiver of the U.S. Table of Allocations is generally granted "when there is little potential interference into any service authorized under the Table of Frequency allocations and when the nonconforming operator accepts any interference from authorized services."³ The International

¹ See 47 C.F.R. §§ 25.202(a)(1), fn. 2 and 2.106, fn. NG104.

² See *Satellite Services*, 26 RR 2d at 1263-65 (1973). See also *EchoStar KuX Corporation Application for Authority to Construct, Launch and Operate a Geostationary Satellite Using the Extended Ku-band Frequencies in the Fixed-Satellite Service at the 83° W.L. Orbital Location*, Order and Authorization, DA 04-3162, 9 (Int'l Bur., Sept. 30, 2004) ("EchoStar 83° Waiver").

³ See *The Boeing Company*, Order and Authorization, 16 FCC Rcd 22645, 22651 (Int'l Bur. & OET 2001); *Application of Fugro-Chance, Inc. for Blanket Authority to Construct and Operate a Private Network of Receive-Only Mobile Earth Stations*, Order and Authorization, 10 FCC Rcd 2860 (Int'l Bur. 1995) (authorizing MSS in the C-band); see also *Application of Motorola Satellite Communications, Inc. for Modification of License*, Order and Authorization, 11 FCC Rcd 13952-13956 (Int'l Bur. 1996) (authorizing service to fixed terminals in bands allocated the mobile satellite service).

Bureau has found that waiving NG104 and footnote 2 of Section 25.202(a)(1) would not undermine the purpose of the rules if the party seeking a waiver: (1) will be utilizing earth stations that are receive-only in these bands and thus “not capable of causing interference into FS stations” operating in the bands and (2) agrees “to accept any level of interference from FS stations” into its receiving earth stations.⁴ Intelsat satisfies these criteria. The earth stations operating in the 10700-11700 MHz band for purposes of the AMOS-4 LEOP mission will not transmit in these bands and Intelsat agrees to accept any level of interference into these earth stations from fixed service stations in the band. Accordingly, the earth stations operating in these bands pose no interference concerns with respect to co-frequency fixed service stations.

Finally, Intelsat notes that it expects to operate with the AMOS-4 satellite using its U.S. earth stations only for a period of approximately ten days. Given these particular facts, the waiver sought herein is plainly appropriate.

⁴ EchoStar 83° Waiver, ¶ 13.

May 23, 2013

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



Re: Request for Special Temporary Authority
Hagerstown, Maryland Earth Station KA258

Dear Ms. Dortch:

Intelsat License LLC (“Intelsat”) herein requests a grant of Special Temporary Authority (“STA”)¹ for 30 days, commencing August 13, 2013, to use its Hagerstown, Maryland Ku-band earth station -- call sign KA258 -- to provide launch and early orbit phase (“LEOP”) services for the AMOS-4 satellite that is expected to be launched on August 13, 2013.² The LEOP period is expected to last approximately ten days.³

The AMOS-4 LEOP operations will be performed in the following frequencies: 13750.0 MHz, 14000.0 MHz, 14250.0 MHz and 14500.0 MHz in the uplink (CP), and 10703.0 MHz and 11698.5 MHz in the downlink (CP). 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 AMOS-4 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.

¹ 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”).

² The permanent orbital location for AMOS-4, which is licensed by the Administration of Israel, will be 65.0° E.L. The in-orbit testing location will be 65.0° E.L.

³ Intelsat is seeking authority for 30 days to accommodate possible launch delays.

Ms. Marlene H. Dortch
May 23, 2013
Page 2

In addition, Intelsat attaches Exhibits A and B, which contain waiver requests. 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. Intelsat also notes that for purposes of the AMOS-4 LEOP mission, it is seeking to operate in the frequencies listed in the request at maximum EIRP of 88.0 dBW.

Intelsat does not seek protection for its KA258 earth station with respect to receive operations in the 10703.0 MHz and 11698.5 MHz frequencies. To the extent necessary, Intelsat includes herewith as Exhibit B a waiver request regarding the requirement in footnote NG104 of the FCC's rules limiting use of these frequencies to international services.

Finally, Intelsat clarifies that during the AMOS-4 launch, the spacecraft will be controlled by Telespazio, which is the manager of the LEOP mission. Telespazio will build and send the commands to the Intelsat antenna, which will process and execute the commands. Telemetry received by Intelsat will be forwarded to Telespazio. Intelsat will remain in control of the baseband unit, RF equipment and antenna.

Grant of this STA request will allow Intelsat to help launch the AMOS-4 satellite to the 65.0° E.L. orbital location. This, in turn, will help provide new capacity at that location and thereby promotes 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