

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
PROBA-V 180 Day STA

1. Applicant

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

180 days with conditions

File # SES-STA-20130820-00761



Call Sign N/A Grant Date 09/30/2013

(or other identifier)

Term Dates

From 10/01/2013 To 09/31/2014

Approved: [Signature]

Applicant: Universal Space Network Corporation  
Call Sign: None  
File No.: SES-STA-20130820-00751

Universal Space Network Corporation (USN) is granted Special Temporary Authority (STA) for 180 days, from 10/1/2013 thru March 31, 2014, to operate a fixed earth stations in North Pole, AK to assist the European Space Agency (ESA) and Swedish Space Corporation (SSC) with the in orbit payload validation and commissioning testing of the science instrument on the PROBA-V satellite. Operations with t the PROBA-V satellite is limited to the center frequency 8090.0 MHz (space-to-Earth) under the following conditions:

- 1) This STA is being approved to assist the European Space Agency (ESA) and Swedish Space Corporation (SSC) with the in orbit payload validation and commissioning testing of the science instrument on the PROBA-V spacecraft.
- 2) Operations under this STA 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.
- 3) Any action taken or expense incurred as a result of operations pursuant to this STA is solely at USN's risk.
- 4) 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.


*180 days*      *"with condition"*

File # SES-STA-20130820-00761

Call Sign N/A      Grant Date 09/30/2013  
(or other identifier)

From 10/01/2013      Term Dates To: 03/31/2014

Approved: Paul E. Hays



The stamp is a rectangular red border containing a circular seal of the Federal Communications Commission. Below the seal, the word "GRANTED" is printed in bold, and "International Bureau" is printed below that.

**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 PROBA-V Satellite.<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 in orbit science instrument validation and commissioning campaign of PROBA-V beginning in October, 2013, not commercial service to the United States, and thus believes that Section 25.137 does not apply.

PROBA-V is a small satellite carrying a vegetation instrument. The primary mission is to deliver to the international vegetation science community daily land mass images of vegetation. Section II. of this document describes the mission from ESA and more information can be found on the European Space Agency's website.

To the extent the Commission determines, however, that USN's request for authority to provide this service 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 to conduct receive only payload telemetry to assist in the validation and commissioning of the PROBA-V science instrument already in orbit. Thus, any information sought by Section 25.114 that is not relevant to the support – 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 PROBA-V satellite, nor is USN in contractual privity with that operator. Rather, USN has contracted with Swedish Space Corporation, Solna Sweden (SSC) to support the PROBA-V satellite.

USN is seeking receive only authorization and as such no coordination has been conducted by Comsearch. Moreover, as with any STA, USN will conduct the support 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 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 commercial service being provided by the satellite; USN is providing validation testing of a science instrument in earth orbit. The instrument is a vegetation mapper and is not a commercial payload. 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 the 180 days of support of the PROBA-V satellite.

It is USN’s understanding that PROBA-V is licensed by ESA (European Space Agency). PROBA-V is the forth in the series spacecraft meant to conduct earth science in the EU. 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 PROBA-V satellite using its U.S. earth station for a period of 180 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 180 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)

<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

<b>2. Contact</b>	
<b>Name:</b>	Universal Space Network, Inc. <b>Phone Number:</b> 215-328-9130
<b>Company:</b>	417 Caredean Drive <b>Fax Number:</b> 215-328-9132
<b>Street:</b>	Suite A <b>E-Mail:</b> jgreet@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?	
<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 type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee	
<input 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 type="radio"/> Other	
6. Requested Use Prior Date	
09/25/2013	
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 312 Attachment 2: Waiver Attachment 3:	
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.) Assist ESA with the in-orbit payload validation & commissioning testing of the science instrument on the spacecraft to start on October 1, 2013 for 180 days.	
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 Joanne Greet	15. Title of Person Signing Manager, Contracts & Compliance
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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