

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
Request for Special Temporary Authority Using Riverside, California Earth Station E040125

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		



File # SES-STA-20140102-00006
 4040125
 Call Sign Grant Date 2-3-14
 (or other identifier)
 Term Dates
 From 2-3-14 To: 3-5-14
 Approved: [Signature]

Applicant: Intelsat License LLC
Call Sign: E040125
File No.: SES-STA-20140102-00006

Special Temporary Authority

Intelsat License LLC is granted special temporary authority, for 30 days, to operate its earth station, Call Sign E040125, located in Nuevo, CA, to provide launch and early orbit phase services for the ABS-2 satellite, licensed and registered by Papua New Guinea, as it travels to its permanent orbital location 75.0° E.L. Communications will be on the following center frequencies: 5844 MHz and 5846 MHz in the (Earth-to-space), and 4183.25 MHz and 4184.25 MHz in the (space-to-Earth) and under the following conditions:

1. Intelsat will coordinate with operators of co-frequency satellites in the drift path.
2. Operations in the uplink frequencies will be within the coordinated parameters of the antenna's current license.
- 3 Operations, 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.
4. Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending or future Intelsat License LLC applications.
5. Any action taken or expense incurred as a result of operations pursuant to this STA is solely at Intelsat License LLC's risk.

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.



File #	SES-STA-20140102-00006		
Call Sign	E040125	Grant Date	2-3-14
(or other identifier)			
From	2-3-14	Term Dates	To: 3-5-14
Approver's	<i>[Signature]</i>		

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 -
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 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 type="radio"/> Use Prior to Grant <input type="radio"/> Change Station Location <input checked="" type="radio"/> Other			
6. Requested Use Prior Date			
7. CityNuevo			
8. Latitude (dd mm ss.s h) 33 47 43.6 N			

9. State CA	10. Longitude (dd mm ss.s h) 117 5 20.4 W
11. Please supply any need attachments. Attachment 1: STA Request Attachment 2: Exhibit A 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.) <div style="border: 1px solid black; padding: 5px;"> <p>Intelsat License LLC herein requests a grant of Special Temporary Authority for 30 days, commencing January 23, 2014, to use its Nuevo, California C-band earth station, call sign E040125, to provide launch and early orbit phase services for the ABS-2 (a/k/a ST-3 and Koreasat-8) satellite that is expected to be launched on January 23, 2014.</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"; 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 Assoc. 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.

January 2, 2014

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



Re: Request for Special Temporary Authority
Nuevo, California Earth Station E040125

Dear Ms. Dortch:

Intelsat License LLC ("Intelsat") herein requests a grant of Special Temporary Authority ("STA")¹ for 30 days, commencing January 23, 2014, to use its Nuevo, California C-band earth station -- call sign E040125 -- to provide launch and early orbit phase ("LEOP") services for the ABS-2 (a/k/a ST-3 and Koreasat-8) satellite that is expected to be launched on January 23, 2014.² The LEOP period is expected to last approximately ten days.³

The ABS-2 LEOP operations will be performed in the following frequency bands: 5844 MHz and 5846 MHz in the uplink (LHCP), and 4183.25 MHz and 4184.25 MHz in the downlink (LHCP). 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 ABS-2 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 ABS-2, which is licensed by Russia, will be 75.0° E.L. The in-orbit testing location will also be at 75.0° E.L.

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

Ms. Marlene H. Dortch
January 2, 2014
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In further support of this request, Intelsat is attaching Exhibit A, which contains two waiver requests. Intelsat also notes that for purposes of the ABS-2 LEOP mission, it intends generally to operate in the frequencies listed in the request at power levels not to exceed 26.5 dBW.

Finally, Intelsat clarifies that during the ABS-2 launch, the spacecraft will be controlled by Space Systems/Loral ("SS/L"), which is the manager of the LEOP mission. SS/L 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 SS/L. 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 ABS-2 satellite. This, in turn, will help bring additional capacity to the 75.0° E.L orbital 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
Associate General Counsel
Intelsat Corporation

cc: Paul Blais

Exhibit A

I. REQUEST 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 ABS-2 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 ABS-2 satellite, nor is Intelsat in contractual privity with that operator. Rather, an affiliate of Intelsat has a contract with Space Systems/Loral, the manufacturer of the ABS-2 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 ABS-2 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 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.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 ABS-2 satellite.

It is Intelsat’s understanding that ABS-2 is licensed by Russia, which is a WTO-member country. 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 ABS-2 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).

II. REQUEST FOR WAIVER OF THE U. S. TABLE OF FREQUENCY ALLOCATIONS

In the U.S. Table of Frequency Allocations, the 5830-5850 MHz band is allocated to the Federal Radiolocation service on a primary basis and commercially to Amateur and Amateur-satellite (space-to-Earth) services on a secondary basis.⁸ Intelsat seeks a waiver of the U.S. Table of Frequency Allocations to allow temporary use of the uplink frequencies 5844 MHz and 5846 MHz for Fixed-Satellite Service (“FSS”) in Region 2.

The Commission may grant a waiver for good cause shown.⁹ The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.¹⁰ 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.¹¹ Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

Good cause exists for waiver to allow Intelsat to conduct LEOP operations for the ABS-2 satellite using the 5844 MHz and 5846 MHz frequencies. The ABS-2 satellite ultimately will be deployed to ITU Region 1 and its TT&C frequencies are in compliance with the ITU allocation for that region. The TT&C frequencies on the satellite cannot be changed. As such, during the short period that the ABS-2 satellite passes over the United States during the LEOP mission, Intelsat temporarily must utilize these frequencies to command the spacecraft.

Intelsat’s temporary use of the 5844 MHz and 5846 MHz frequencies will not unduly harm incumbent operations. FSS operations are co-primary with the Federal Radiolocation service in the 5850-5925 MHz band and are coordinated with Federal users. Intelsat assumes that the Commission will coordinate the temporary use of the 5844 MHz and 5846 MHz frequencies that are the subject of this STA request with Federal users. The remaining allocated users of these frequencies are secondary and, as such, must accept interference in certain circumstances. Intelsat believes that any interference it may cause to secondary incumbent operations during the LEOP mission -- to the extent there is any -- will be very short term. For all of these reasons -- and to ensure a safe LEOP mission for the ABS-2 satellite -- the Commission should grant the waiver sought herein.

⁸ 47 C.F.R. § 2.106. In Region 1, the ITU Table of Frequency Allocations specifies that the 5830-5825 MHz band is allocated on a co-primary basis to the Fixed-Satellite (Earth-to-space) Service and the Radiolocation Service.

⁹ 47 C.F.R. §1.3.

¹⁰ *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (“*Northeast Cellular*”).

¹¹ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.