

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

11/10/03 SES-STA-20140314-00144

File # SES-STA-20140314-00144

Call Sign KA258 Grant Date 3-27-14  
(or other identifier)

Term Dates From 4-15-14 To: 8-15-14

Approved: *[Signature]*

International Bureau

Applicant: Intelsat License LLC  
Call Sign: KA258  
File No.: SES-STA-20140314-00144  
Special Temporary Authority (STA)

Intelsat License LLC is granted, under the following conditions, STA, to use its Hagerstown, Maryland earth station, call sign KA258, to provide launch and early orbit phase (LEOP) services to the French licensed Eutelsat-3B satellite. The satellite's permanent orbital location will be at 3.0 deg E.L. The in-orbit test orbital location will be at 1.7 deg E.L. The satellite is expected to be launched on April 15, 2014.

1. Uplink to Eutelsat-3B on 14250.0 MHz and 14499.8 MHz (RHCP or LHCP) within coordinated emission and power limits.
2. Downlink from Eutelsat-3B on 11200.2 MHz and 11699.8 MHz (RHCP or LHCP).
3. 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 Eutelsat-3B 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.
4. 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.
5. Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending or future Intelsat License LLC applications.
6. 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.

 <b>GRANTED</b> International Bureau	<b>File #</b> SES-STA-20140314-00144
	<b>Call Sign</b> KA258 <b>Grant Date</b> 3-27-14 (or other identifier)
	<b>From</b> 4-15-14 <b>Term Dates</b> <b>To:</b> 5-15-14
	<b>Approved:</b> <i>[Signature]</i>

<b>2. Contact</b>	
<b>Name:</b> Susan H. Crandall	<b>Phone Number:</b> 202-944-7848
<b>Company:</b> Intelsat Corporation	<b>Fax Number:</b> 202-944-7870
<b>Street:</b> 3400 International Drive, N.W.	<b>E-Mail:</b> susan.crandall@intelsat.com
<b>City:</b> Washington	<b>State:</b> DC
<b>Country:</b> USA	<b>Zipcode:</b> 20008 -3006
<b>Attention:</b>	<b>Relationship:</b> 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 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:	
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 April 15, 2014, to use its Hagerstown, Maryland Ku-band earth station, call sign KA258, to provide launch and early orbit phase services for the Eutelsat-3B satellite that is expected to be launched on April 15, 2014. The LEOP period is expected to last</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 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).	

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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.**

## **12. Description**

Intelsat License LLC herein requests a grant of Special Temporary Authority for 30 days, commencing April 15, 2014, to use its Hagerstown, Maryland Ku-band earth station, call sign KA258, to provide launch and early orbit phase services for the Eutelsat-3B satellite that is expected to be launched on April 15, 2014. The LEOP period is expected to last approximately ten days.

## 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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup> The Commission may grant a waiver for good cause shown.<sup>4</sup> The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.<sup>5</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>6</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 both Section 25.137 and Section 25.114. With respect to Section 25.114, Intelsat seeks authority only to provide LEOP services for the Eutelsat-3B 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 Eutelsat-3B satellite, nor is Intelsat in contractual privity with that operator. Rather, an affiliate of Intelsat has a contract with EADS Astrium, the manufacturer of the Eutelsat-3B satellite, to conduct LEOP services for the satellite.

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<sup>1</sup> 47 C.F.R. § 25.137 (emphasis added).

<sup>2</sup> 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").

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

<sup>4</sup> 47 C.F.R. § 1.3.

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

<sup>6</sup> *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 Eutelsat-3B 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.<sup>7</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 Intelsat to post a bond in order to provide approximately ten days of LEOP services to the Eutelsat-3B satellite.

It is Intelsat’s understanding that Eutelsat-3B is licensed by France, 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 Eutelsat-3B 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.

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<sup>7</sup> See 47 C.F.R. §25.137(d)(4).



March 14, 2014

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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")<sup>1</sup> for 30 days, commencing April 15, 2014, to use its Hagerstown, Maryland Ku-band earth station -- call sign KA258 -- to provide launch and early orbit phase ("LEOP") services for the Eutelsat-3B satellite that is expected to be launched on April 15, 2014.<sup>2</sup> The LEOP period is expected to last approximately ten days.<sup>3</sup>

The Eutelsat-3B LEOP operations will be performed in the following frequency bands: 14250.0 MHz and 14499.8 MHz in the uplink (RHCP or LHCP), and 11200.2 MHz and 11699.8 MHz in the downlink (RHCP or LHCP). The LEOP operations will be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path.<sup>4</sup> 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 Eutelsat-3B 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.

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<sup>1</sup> 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").

<sup>2</sup> The permanent orbital location for Eutelsat-3B, which Intelsat understands is licensed by France, will be 3.0° E.L. The in-orbit testing location will be 1.7° E.L.

<sup>3</sup> Intelsat is seeking authority for 30 days to accommodate a possible launch delay.

<sup>4</sup> EADS Astrium ("Astrium"), the manager of the Eutelsat-3B LEOP mission, will handle the coordination.

Ms. Marlene H. Dortch

March 14, 2014

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In addition, Intelsat attaches Exhibit A hereto, which contains a waiver request. 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 Eutelsat-3B LEOP mission, it is seeking to operate in the frequencies listed in the request at power levels not to exceed 23.5 dBW.

Finally, Intelsat clarifies that during the Eutelsat-3B launch, the spacecraft will be controlled by Astrium. Astrium 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 Astrium. 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 Eutelsat-3B satellite. This, in turn, will help ensure continuity of service at the 3.0° 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