

October 30, 2014

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

Re: Request for Special Temporary Authority to Utilize Castle Rock, Colorado Antenna, KL92, to Perform Tracking, Telemetry, and Control for Intelsat 30 Satellite
EXPEDITED TREATMENT REQUESTED

Dear Ms. Dortch:

Intelsat License LLC (“Intelsat”) herein requests a grant of Special Temporary Authority (“STA”)¹ for 30 days, from November 20, 2014 through December 19, 2014, to utilize its Castle Rock, Colorado antenna, KL92, to operate in new Tracking, Telemetry, and Control (“TT&C”) frequencies with the Intelsat 30 satellite (Call Sign S2887)² at 95.05° W.L. The proposed operations will be performed using the following frequencies: 13750.50 MHz and 14003.50 MHz in the uplink (RHCP), and 11198.00 MHz, 11198.50 MHz, 11199.25 MHz, and 11199.75 MHz in the downlink (RHCP). Intelsat will be filing an application for authority to use this antenna to transmit in these frequencies on a permanent basis.

In support of its request, Intelsat incorporates by reference its pending application for authority to use this antenna to transmit in these frequencies on a permanent basis.³ The application contains detailed technical information (in Exhibits A, C and D) that demonstrates that the operation of the earth station will be compatible with its electromagnetic environment and will not cause harmful interference into any lawfully operating terrestrial facility. 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.

To the extent necessary, Intelsat also requests a waiver of the footnote NG52 to the U.S. Table of Frequency Allocations, which limits the use of the 10700-11700 MHz frequency band to “international

¹ Intelsat has filed this STA request, an FCC Form 159, and \$195.00 filing fee electronically via the International Bureau's Filing System.

² See *Policy Branch Information; Actions Taken*, Report No. SAT-01036, File Nos. SAT-LOA-20121025-00187 and SAT-AMD-20121221-00220 (Aug. 15, 2014) (Public Notice).

³ See *Intelsat License LLC Request for Modification of Earth Station KL92*, File No. SES-MOD-INTR2014-02158 (filed Oct. 30, 2014).

systems.”⁴ Intelsat seeks waiver to permit the Castle Rock, Colorado earth station KL92 to communicate with the Intelsat 30 satellite at 95.05° W.L.

The Commission may grant a waiver for good cause shown.⁵ The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.⁶ 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.⁷ Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest. As shown below, good cause exists here to grant a waiver allowing the KL92 to provide TT&C services to the Intelsat 30 satellite using frequencies in the 10700-11700 MHz band.

Good cause exists to waive the international only requirements for the 10700-11700 MHz frequency band. The purpose of NG52 is to limit the number of the FSS service earth stations with which the co-primary fixed service would need to coordinate.⁸ Intelsat will provide 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 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.”⁹ The International Bureau has found that waiving the international only requirement would not undermine the purpose of the rules if the party seeking a waiver 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.¹⁰ KL92 will not transmit in the 10700-11700 MHz frequency band and Intelsat agrees to accept any level of interference into those 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.

⁴ See 47 C.F.R. § 2.106 fn. NG52.

⁵ 47 C.F.R. §1.3.

⁶ *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (“*Northeast Cellular*”).

⁷ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

⁸ See *Satellite Services*, 26 RR 2d 1257, 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*”).

⁹ 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).

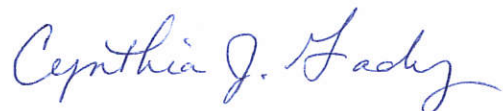
¹⁰ *EchoStar 83° Waiver*, ¶ 13.

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The provision of TT&C services to the Intelsat 30 satellite at 95.05° W.L. is a critical step in ensuring that the satellite will be fully operational at 95.05° W.L. This, in turn, will ensure continuity of service to customers at the 95.05° W.L. location, and thereby promotes the public interest.

For the reasons set forth herein, Intelsat respectfully requests that the Commission grant this request.

Sincerely,



Cynthia J. Grady
Regulatory Counsel
Intelsat Corporation

cc: Paul Blais