

E170039 SES-STA-20171218-01339 IB2017003464
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 30-day STA to Use Riverside Earth Station, Call Sign E170039, to Provide LEOP Services for Al Yah 3 Satellite

I. Applicant

Name:	IntelSAT License LLC	Phone Number:	703-559-7848
DBA Name:		Fax Number:	703-559-8539
Street:	c/o IntelSAT Corporation 7900 Tysons One Place	E-Mail:	susan.crandall@intelsat.com
City:	McLean	State:	VA
Country:	USA	Zipcode:	22102 -5972
Attention:	Susan H. Crandall		

File # SES-STA-20171218-01339

Call Sign E170039 Grant Date 12/27/2017
(or other identifier)

Term Dates

From 1/25/2018 To: 4/4/2018

Approved: [Signature]



Applicant: Intelsat License LLC
Call Sign: E170039
File No.: SES-STA-20171218-01339

Intelsat License LLC ("Intelsat") is granted special temporary authority, for 30 days, beginning January 25, 2017 to operate its Riverside, CA fixed earth station to provide launch and early orbit phase (LEOP) services for Al Yah 3 satellite, in the 29997.5 MHz, and 29999.5 MHz (Earth-to-space) and 20198.5 MHz and 20199.5 MHz (space-to-Earth) frequencies licensed by the United Arab Emirates, as it drifts to its permanent location of 20.0° W.L. orbital location under the following conditions:

1. Operations, shall not cause harmful interference to or claim protection from other lawfully operating stations and it shall cease transmission(s) immediately upon notice of such interference.
2. All operators of satellites 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 Al Yah 3 LEOP mission is as follows: 24/7 point of contact is Ph.: (703) 559-7701 –East Coast Operations Center (primary) and (310) 525-5591-West Coast Operations Center (back-up). Request to speak with Harry Burnham or Kevin Bell.
3. In the event of any harmful interference under this grant of STA, Intelsat must cease operations immediately upon notification of such interference, and must inform the Commission, in writing, immediately of such an event.

5. Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending or future Intelsat applications.
6. Any action taken or expense incurred as a result of operations pursuant to this STA is solely at Intelsat's risk.
7. If an emergency situation exists, the applicant must notify FCC OperationCenter@fcc.gov of the situation with a copy to paul.blais@fcc.gov.
8. 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-20171218-01339
Call Sign E170039 Grant Date 12/27/2017
(or other identifier)
Term Dates
From 1/25/2018 To: 4/14/2018
Approved: Paul E. Blais

2. Contact

Name: Susan H. Crandall **Phone Number:** 703-559-7848
Company: Intelsat Corporation **Fax Number:** 703-559-8539
Street: 7900 Tysons One Place **E-Mail:** susan.crandall@intelsat.com
City: McLean **State:** VA
Country: USA **Zipcode:** 22102 -5972
Attention: **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?
 If Yes, complete and attach FCC Form 159. IF No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

- Governmental Entity Noncommercial educational licensee
- Other (please explain):

4b. Fee Classification CGX – Fixed Satellite Transmitter/Receive Earth Station

5. Type Request

- Use Prior to Grant Change Station Location Other

6. Requested Use Prior Date

7. City/Nuevo

8. Latitude
 (dd mm ss.s h) 33 47 42.7 N

9. State CA	10. Longitude (dd mm ss.s h) 117 5 22.5 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.) IntelSAT License LLC requests a grant of Special Temporary Authority for 30 days, commencing January 25, 2018, to use its Riverside, California earth station, call sign E170039, to provide launch and early orbit phase services for the Al Yah 3 satellite. Al Yah 3 is expected to launch on January 25, 2018.	
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).	

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 communicate with a non-U.S. licensed space station" to serve the United States must demonstrate that U.S.-licensed satellite systems have effective competitive opportunities to provide analogous services in certain countries and must provide the same legal and technical information for the non-U.S.-licensed space station as 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 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 of the FCC's rules. With respect to Section 25.114, Intelsat seeks authority only to provide LEOP services for the Al Yah 3 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 Al Yah 3 satellite, nor is Intelsat in contractual privity with that operator. Rather, an affiliate of Intelsat has a contract with Orbital ATK, the manufacturer of the Al Yah 3 satellite, to conduct LEOP services.

¹ 47 C.F.R. § 25.137.

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*, Order and Authorization, 28 FCC Rcd. 4229 (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*, 419 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

The information required under Section 25.114 of the FCC's rules is not necessary to determine potential harmful interference. The Schedule S information for this satellite would pertain to the operation of the Al Yah 3 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 of the Commission's rules. 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 of the agency's rules. Section 25.137 is designed to ensure that "U.S.-licensed satellite systems have effective competitive opportunities to provide analogous services" in other countries.⁷ 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 Section 25.137 would not be served by applying these rules to LEOP services. For example, Section 25.137(d)(4) 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.⁸ The underlying purpose of Section 25.137(d)(4)—to provide parity between U.S.-licensed and non-U.S.-licensed commercial satellite systems in discouraging orbital location warehousing—would not be served by requiring Intelsat to post a bond to provide approximately 30 days of LEOP services to the Al Yah 3 satellite.

It is Intelsat's understanding that Al Yah 3 is licensed by the United Arab Emirates, which is a WTO-member country. Thus, the purpose of Section 25.137—to ensure that U.S. satellite operators enjoy "effective competitive opportunities" to serve certain foreign markets—will not be undermined by grant of this waiver request.

Finally, Intelsat notes that it expects to operate with the Al Yah 3 satellite using its U.S. earth station for a period of approximately 30 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 30 days, would pose undue hardship without serving underlying policy objectives. Given these particular facts, the waiver sought herein is plainly appropriate.

⁷ 47 C.F.R. § 25.137(a).

⁸ See 47 C.F.R. § 25.137(d)(4).



December 18, 2017

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: Request for Special Temporary Authority

Riverside, California Earth Station E170039

Dear Ms. Dortch:

Intelsat License LLC ("Intelsat") herein requests a grant of Special Temporary Authority ("STA")¹ for 30 days, commencing January 25, 2018, to use its Riverside, California earth station—call sign E170039—to provide launch and early orbit phase ("LEOP") services for the Al Yah 3 satellite. Al Yah 3 is expected to launch on January 25, 2018.² Intelsat expects the LEOP period to last approximately 30 days.

The Al Yah 3 LEOP operations will be performed in the following frequencies: 29997.5 MHz and 29999.5 MHz (RHCP) in the uplink, and 20198.5 and 20199.5 MHz (LHCP) in the downlink. The LEOP operations will be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path.³ 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 Al Yah 3 LEOP mission is as follows:

Ph: (703) 559-7701 – East Coast Operations Center (primary)
(310) 525-5591 – West Coast Operations Center (back-up)

Request to speak with Harry Burnham or Kevin Bell.

In further support of this request, Intelsat herewith attaches Exhibit A, which requests waiver of Sections 25.137 and 25.114 of the Commission's rules. In the extremely unlikely event that harmful interference should occur due to transmission to or from its earth station, Intelsat will take all reasonable steps to eliminate the interference.

¹ Intelsat has filed its STA request, FCC Form 159, a \$200.00 filing fee, and this supporting letter electronically via the International Bureau's Filing System ("IBFS").

² The in-orbit testing and the permanent orbital location of Al Yah 3, which Intelsat understands is licensed by the United Arab Emirates, will be 20.0° W.L.

³ Orbital ATK, the manager of the Al Yah 3 LEOP mission, will handle the coordination.

Ms. Marlene H. Dortch
December 18, 2017
Page 2

Finally, Intelsat clarifies that during the mission, Orbital ATK will serve as the mission manager. Orbital ATK 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 Orbital ATK. Intelsat will perform the ranging sessions by sending a tone to the spacecraft periodically. 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 AL Yah 3 satellite. This, in turn, will help provide services at the 20.0° W.L. orbital location and thereby promotes the public interest.

Please direct any questions regarding this STA request to the undersigned at (703) 559-7848.

Respectfully submitted,

/s/ Susan H. Crandall
Susan H. Crandall
Associate General Counsel
Intelsat Corporation

cc: Paul Blais