

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 Using Fillmore, CA Earth Station E4132 to Provide LEOP Services for GSAT-6A

1. Applicant

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




File # SES-STA-20180103-00006  
24132 Call Sign Grant Date 1-9-18  
(or other identifier) Term Dates  
From: 2-26-18 To: 7-28-18  
Approved: [Signature]

Application: Intelsat License LLC  
File No.: SES-STA-20180103-00006  
Call Sign: E4132  
Special Temporary Authority

Intelsat License LLC is granted a special temporary authority for 30 days, under the following conditions, beginning February 26, 2018, to operate its C-band earth station, call sign E4132, in Fillmore, California, to provide launch and early orbit phase (LEOP) services for the GSAT-6A satellite at 83° E.L. licensed by India, using the following frequencies: 6415.00 MHz and 6417.16 MHz (RHCP) (Earth-to-space) and 4190.976 MHz, 4198.272 MHz, and 4199.760 MHz (LHCP) (space-to-Earth). GSAT-6A satellite is expected to be launched on February 1, 2018.

1. All operations must be within the coordinated emission and power limits.
2. 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 GSAT-6A satellite 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.
3. All operations shall be on an unprotected and non-harmful interference basis, Intelsat License LLC, E4132, 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. This special temporary authority can only be used to provide launch and early orbit phase ("LEOP") services for the GSAT-6A satellite.
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	File # <u>SES-STA-20180103-00006</u>
	Call Sign <u>E4132</u> (or other identifier)
	Grant Date <u>1-9-18</u>
	Term Dates From: <u>2-26-18</u> To: <u>3-28-18</u>
	Approved: <u>[Signature]</u>

<b>2. Contact</b>	
<b>Name:</b> Susan H. Crandall	<b>Phone Number:</b> 703-559-7848
<b>Company:</b> Intelsat Corporation	<b>Fax Number:</b> 703-559-8539
<b>Street:</b> 7900 Tysons One Place	<b>E-Mail:</b> susan.crandall@intelsat.com
<b>City:</b> McLean	<b>State:</b> VA
<b>Country:</b> USA	<b>Zipcode:</b> 22102 -5972
<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 checked="" type="radio"/> Other	
6. Requested Use Prior Date	
7. City/Fillmore	
8. Latitude (dd mm ss.s h) 34 24 22.0 N	

9. State CA	10. Longitude (dd mm ss.s h) 118 53 34.0 W
11. Please supply any need attachments. Attachment 1: STA Request      Attachment 2: Exhibit A      Attachment 3: Exhibit B	
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;">Intelsat License LLC herein requests a grant of Special Temporary Authority for 30 days, commencing February 1, 2018, to use its Fillmore, California C-band earth station, call sign E4132, to provide launch and early orbit phase services for the GSAT-6A satellite. GSAT-6A is expected to launch on February 1, 2018.</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).	

**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 B

### 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.<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 of the FCC's rules. With respect to Section 25.114, Intelsat seeks authority only to provide LEOP services for the GSAT-6A 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 GSAT-6A satellite, nor is Intelsat in contractual privity with that operator. Rather, an affiliate of Intelsat has a contract with Indian Space Research Organisation, the manufacturer of the GSAT-6A satellite, to conduct LEOP services.

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<sup>1</sup> 47 C.F.R. § 25.137.

<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*, 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").

<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*, 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 GSAT-6A 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.<sup>7</sup> 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.<sup>8</sup> 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 GSAT-6A satellite.

It is Intelsat's understanding that GSAT-6A is licensed by India, 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 GSAT-6A 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.

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<sup>7</sup> 47 C.F.R. § 25.137(a).

<sup>8</sup> See 47 C.F.R. §25.137(d)(4).



Prepared By

**COMSEARCH**

19700 Janelia Farm Boulevard, Ashburn, VA 20147  
(703)726-5500 <http://www.comsearch.com>

Prepared For

**Intelsat License LLC  
Fillmore, California**

Temporary Transmit-Only Earth Station  
Operation Dates: 01/22/2018 - 02/21/2018

Pursuant to Part 25.203(c) of the FCC Rules and Regulations, the satellite earth station proposed in this application was coordinated by Comsearch using computer techniques and in accordance with Part 25 of the FCC Rules and Regulations. Verbal and written coordination was conducted with the below listed carriers on November 09, 2017.

Company

ABC Holding Company Inc.  
AT&T Mobility Spectrum LLC - N CA  
AT&T Mobility Spectrum LLC - Southern CA  
Air Sites 2000 LLC  
American Tower, LLC  
Anaheim City, of  
Arizona Public Service Company (APS)  
BNS Electronics, Inc.  
CCO SoCal I, LLC  
California Internet Solutions, Inc.  
California Internet, L.P.  
California Resources Corporation  
California, State of  
Calvary Chapel of Costa Mesa  
City of Los Angeles Dept Water & Power  
City of Montebello  
Coast Community College District  
Communication Services, Inc.  
Conterra Ultra Broadband, LLC  
DM Ventures, Inc. dba Warp2Biz  
Exxon Communications Company  
Federal Communication Commission  
Fresno MSA Limited Partnership  
Frontier California Inc.  
Frontier Communications of the Southwest  
GTE Mobilnet of Santa Barbara LTD Ptsh  
Glendale City California  
Global Telecom & Technology Americas, In  
GovNET Licenses LLC  
ION Media Los Angeles License, Inc.  
KTLA, LLC  
Kcindur Communications Inc  
Kern Ed Telecom Consortium  
Kern, County of  
LDM Engineering



Los Angeles City Info Technology Agency  
Los Angeles County Dept of Public Works  
Los Angeles County FCC Licensing Section  
Los Angeles County Metro Transit Auth  
Los Angeles Regional Interoperable Comm  
Los Angeles SMSA Ltd. Partnership  
Los Angeles Unified School District  
MHO Networks  
Metropolitan Water Dist of So California  
Mobile Relay Associates Inc.  
New Cingular Wireless PCS LLC - AZ  
New Cingular Wireless PCS - Los Angeles  
New Cingular Wireless PCS LLC - N CAL  
Nextel License Holdings 4 Inc.  
Nextel of California Inc.  
Nextweb Inc  
Northrop Grumman Systems Corp.  
Nrj TV La License Co, LLC  
Olympic Wireless, LLC  
Orange, County of, CA  
Pacific Bell Tel Com dba AT&T California  
Pacific Lightwave Inc  
Regents of the University of California  
Riverside, County of  
San Bernardino County of California  
San Diego Gas & Electric Company  
Santa Barbara Cellular Systems, Ltd.  
Santa Barbara, County of  
Sentinel Peak Resources California LLC  
Skyriver Communications  
Southern California Edison Company  
Southern California Gas Company  
Southern California Regional Rail Auth.  
Spectrum Link, Inc.  
Subrigo Corporation  
T-Mobile License LLC  
TV Microwaves Company  
Turn Wireless, LLC  
Union Pacific Railroad Company  
University of California, HPWREN  
Vectus, Inc  
Ventura, County of  
Verizon Wireless (VAW) LLC (Southern CA)  
Verizon Wireless (VAW) LLC-N CA/NV  
Verizon Wireless(VAW) LLC-AZ/CO/NM/NV/UT  
Western Technical Services

There are no unresolved interference objections with the station contained in these applications.

The following section presents the data pertinent to frequency coordination of the earth station that was circulated to all carriers within its coordination contours.

# COMSEARCH

## Earth Station Data Sheet

19700 Janelia Farm Boulevard, Ashburn, VA 20147  
(703)726-5500 <http://www.comsearch.com>

Date: 11/09/2017  
Job Number: 171109COMSGE09

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### Administrative Information

Status: TEMPORARY (Operation from 01/22/2018 to 02/21/2018)  
Call Sign: TEMP02  
Licensee Code: INTELS  
Licensee Name: Intelsat License LLC

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### Site Information

**FILLMORE, CA**  
Venue Name:  
Latitude (NAD 83): 34° 24' 22.0" N  
Longitude (NAD 83): 118° 53' 37.4" W  
Climate Zone: A  
Rain Zone: 4  
Ground Elevation (AMSL): 313.94 m / 1030.0 ft

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### Link Information

Satellite Type: Geostationary  
Mode: TO - Transmit-Only  
Modulation: Digital  
Satellite Arc: 45.6° W to 192.2° West Longitude  
Azimuth Range: 99.6° to 260.4°  
Corresponding Elevation Angles: 5.1° / 5.0°  
Antenna Centerline (AGL): 8.23 m / 27.0 ft

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### Antenna Information

**Transmit - FCC32**  
Manufacturer: Scientific-Atlanta  
Model: 3311  
Gain / Diameter: 53.8 dBi / 10.0 m  
3-dB / 15-dB Beamwidth: 0.40° / 0.60°

Max Available RF Power (dBW/4 kHz): 4.8  
(dBW/MHz): 28.8

Maximum EIRP (dBW/4 kHz): 58.6  
(dBW/MHz): 82.6

Interference Objectives: Long Term: -154.0 dBW/4 kHz 20%  
Short Term: -131.0 dBW/4 kHz 0.0025%

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### Frequency Information

**Transmit 6.1 GHz**  
Emission / Frequency Range (MHz): 1M00FXD / 6415.0  
1M00FXD / 6417.16  
1M00FXD / 6423.496

Max Great Circle Coordination Distance: 472.4 km / 293.5 mi  
Precipitation Scatter Contour Radius: 223.3 km / 138.7 mi

<b>Coordination Values</b>	<b>FILLMORE, CA</b>
Licensee Name	Intelsat License LLC
Latitude (NAD 83)	34° 24' 22.0" N
Longitude (NAD 83)	118° 53' 37.4" W
Ground Elevation (AMSL)	313.94 m / 1030.0 ft
Antenna Centerline (AGL)	8.23 m / 27.0 ft
Antenna Model	Scientific-Atlanta 11 meter
Antenna Mode	Transmit 6.1 GHz
Interference Objectives: Long Term	-154.0 dBW/4 kHz 20%
Short Term	-131.0 dBW/4 kHz 0.0025%
Max Available RF Power	4.8 (dBW/4 kHz)

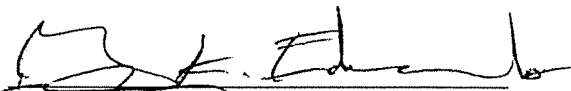
Azimuth (°)	Horizon Elevation (°)	Antenna Discrimination (°)	Transmit 6.1 GHz	
			Horizon Gain (dBi)	Coordination Distance (km)
0	9.41	99.59	-10.00	100.00
5	9.28	94.62	-10.00	100.00
10	10.39	89.63	-10.00	100.00
15	10.81	84.65	-10.00	100.00
20	11.67	79.70	-10.00	100.00
25	12.11	74.75	-10.00	100.00
30	11.51	69.76	-10.00	100.00
35	10.87	64.77	-10.00	100.00
40	11.36	59.83	-10.00	100.00
45	12.04	54.93	-10.00	100.00
50	12.00	49.98	-10.00	100.00
55	11.61	45.01	-9.33	100.00
60	10.79	39.97	-8.04	100.00
65	9.78	34.91	-6.57	100.00
70	9.99	30.00	-4.93	100.00
75	9.18	24.95	-2.93	100.00
80	8.81	19.97	-0.51	100.00
85	8.14	14.94	2.64	100.00
90	7.27	9.88	7.14	108.18
95	5.88	4.70	15.20	157.67
100	6.25	0.44	40.98	459.67
105	6.17	3.67	17.90	171.02
110	4.75	8.51	8.76	140.28
115	2.86	13.60	3.66	151.48
120	2.00	18.02	0.61	156.91
125	1.86	21.93	-1.52	151.25
130	2.45	25.27	-3.06	133.52
135	2.61	28.73	-4.46	125.12
140	2.66	32.11	-5.67	119.75
145	2.81	35.20	-6.66	113.12
150	2.62	38.28	-7.57	113.31
155	3.21	40.44	-8.17	100.00
160	2.93	42.90	-8.81	102.77
165	3.48	44.21	-9.14	100.00
170	3.26	45.71	-9.50	100.00
175	3.12	46.63	-9.72	100.00
180	2.52	47.50	-9.92	106.57
185	2.35	47.40	-9.89	110.13

<b>Coordination Values</b>	<b>FILLMORE, CA</b>
Licensee Name	Intelsat License LLC
Latitude (NAD 83)	34° 24' 22.0" N
Longitude (NAD 83)	118° 53' 37.4" W
Ground Elevation (AMSL)	313.94 m / 1030.0 ft
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Interference Objectives: Long Term	-154.0 dBW/4 kHz 20%
Short Term	-131.0 dBW/4 kHz 0.0025%
Max Available RF Power	4.8 (dBW/4 kHz)

Azimuth (°)	Horizon Elevation (°)	Antenna Discrimination (°)	Transmit 6.1 GHz	
			Horizon Gain (dBi)	Coordination Distance (km)
190	2.28	46.64	-9.72	112.02
195	0.77	46.65	-9.72	153.21
200	0.45	45.00	-9.33	177.77
205	1.20	42.04	-8.59	140.39
210	0.96	39.53	-7.92	150.88
215	0.92	36.55	-7.07	156.44
220	0.00	33.92	-6.26	212.41
225	0.00	30.45	-5.09	217.22
230	0.00	26.83	-3.72	223.08
235	0.00	23.09	-2.08	230.34
240	0.00	19.24	-0.11	239.55
245	0.00	15.33	2.36	251.11
250	0.00	11.35	5.63	268.69
255	0.00	7.37	10.31	297.10
260	0.00	5.06	14.40	472.45
265	0.00	6.84	11.13	302.43
270	0.00	10.85	6.11	271.47
275	1.11	15.13	2.50	194.52
280	1.29	19.96	-0.51	175.15
285	2.94	24.70	-2.82	125.37
290	4.19	29.63	-4.79	100.00
295	4.00	34.63	-6.49	100.00
300	4.44	39.62	-7.95	100.00
305	3.70	44.64	-9.24	100.00
310	3.09	49.65	-10.00	100.00
315	2.77	54.65	-10.00	101.49
320	3.24	59.64	-10.00	100.00
325	3.81	64.63	-10.00	100.00
330	5.52	69.62	-10.00	100.00
335	7.47	74.63	-10.00	100.00
340	8.31	79.64	-10.00	100.00
345	8.76	84.63	-10.00	100.00
350	9.64	89.62	-10.00	100.00
355	9.46	94.61	-10.00	100.00

## Certification

I hereby certify that I am the technically qualified person responsible for the preparation of the frequency coordination data contained in this report. I am familiar with Parts 101 and 25 of the FCC Rules and Regulations and I have either prepared or reviewed the frequency coordination data submitted with this report, and that it is complete and correct to the best of my knowledge and belief.

BY:   
Gary K. Edwards  
Senior Manager  
COMSEARCH  
19700 Janelia Farm Boulevard  
Ashburn, VA 20147

DATED: November 21, 2017

## Exhibit B

### 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 analogues 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.<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.

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<sup>1</sup> 47 C.F.R. § 25.137.

<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*, 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").

<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*, 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 GSAT-6A 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.<sup>7</sup> 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.<sup>8</sup> 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 GSAT-6A satellite.

It is Intelsat's understanding that GSAT-6A is licensed by India, 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 GSAT-6A 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.

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<sup>7</sup> 47 C.F.R. § 25.137(a).

<sup>8</sup> See 47 C.F.R. §25.137(d)(4).