

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 Castle Rock, Colorado Earth Station KL92 to Provide LEOP Services for the Azerspace-2 Satellite

1. Applicant

Name:	Intelsat License LLC	Phone Number:	703-559-7848
DBA Name:		Fax Number:	703-559-8539
Street:	c/o Intelsat US LLC 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-20180828-02516

Call Sign KL92 Grant Date 9/11/2018
(or other identifier)

Term Dates

From 9/18 To: 10/18

Approved: [Signature]

Call operations are on a non-interference & non-protected basis. fgh

2. Contact			
Name:	Cynthia J. Grady	Phone Number:	703-559-6949
Company:	Intelsat US LLC	Fax Number:	703-559-8539
Street:	7900 Tysons One Place	E-Mail:	cynthia.grady@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?			
<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 Castle Rock			
8. Latitude (dd mm ss.s h) 39 16 38.0 N			

9. State CO	10. Longitude (dd mm ss.s h) 104 48 26.9 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;">Intelsat License LLC herein requests a grant of Special Temporary Authority for 30 days, commencing September 18, 2018, to use its Castle Rock, Colorado Ku-band earth station, call sign KL92, to provide launch and early orbit phase services for the Azerspace-2 satellite. Azerspace-2 is expected to launch on September 18, 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 Cynthia J. Grady	15. Title of Person Signing Regulatory Counsel, Intelsat US LLC
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.

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 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 of the FCC's rules. With respect to Section 25.114, Intelsat seeks authority only to provide LEOP services for the Azerspace-2 satellite. The information sought by Section 25.114 is not relevant to LEOP services.

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 Azerspace-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,

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.

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 180 days of LEOP services to the Azerspace-2 satellite.

Finally, Intelsat notes that it expects to operate with the Azerspace-2 satellite using its U.S. earth station for short time periods – roughly 80 days – over a total time period of approximately 180 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 180 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).



INTELSAT

Envision. Connect. Transform.

August 28, 2018

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Request for Special Temporary Authority
Castle Rock, Colorado Earth Station KL92

Dear Ms. Dortch:

Intelsat License LLC (“Intelsat”) herein requests a grant of Special Temporary Authority (“STA”)¹ for 30 days, commencing September 18, 2018, to use its Castle Rock, Colorado Ku-band earth station—call sign KL92—to provide launch and early orbit phase (“LEOP”) services for the Azerspace-2 satellite. Azerspace-2 is expected to launch on September 18, 2018.² Intelsat expects the LEOP period to last approximately 180 days.³

The Azerspace-2 LEOP operations will be performed at the following frequencies: 14497.50 MHz and 14499.5 MHz (CP) in the uplink; and 12745.0 MHz, 12745.5 MHz, 12748.25 MHz, and 12748.75 MHz (CP) 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.⁴ 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 Azerspace-2 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.

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 location for Azerspace-2, which Intelsat understands is licensed by Azerbaijan, will be 63.8° E.L. The final location of Azerspace-2 will be 45.0° E.L.

³ Intelsat is simultaneously filing a 180-day STA request for this antenna to accommodate the longer orbit-raising time period required for an electric propulsion satellite.

⁴ SSL, the manager of the Azerspace-2 LEOP mission, will handle the coordination.

Ms. Marlene H. Dortch
August 28, 2018
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In further support of this request, Intelsat herewith attaches Exhibit A, which contains requests for waiver. 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.

Finally, Intelsat clarifies that during the Azerspace-2 LEOP mission, SSL will serve as the mission manager. SSL 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 SSL. 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 Azerspace-2 satellite. This, in turn, will help provide additional capacity from the 45.0° E.L. orbital location and thereby promotes the public interest.

Please direct any questions regarding this STA request to the undersigned at (703) 559-6949.

Respectfully submitted,

/s/ Cynthia J. Grady

Cynthia J. Grady
Regulatory Counsel
Intelsat US LLC

cc: Paul Blais