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October 16, 2018

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

Re: Request for Further Extension of Special Temporary Authority
7.3m S-band Antenna, Paumalu, Hawaii

Dear Ms. Dortch:

Intelsat License LLC ("Intelsat") herein requests an additional 30 days of Special Temporary Authority ("STA")[1] previously granted to Intelsat to utilize a 7.3m S-band antenna located at its Paumalu, Hawaii teleport to provide telemetry, tracking, and command ("TT&C") restoration services for the EUTELSAT-WA (S3031)[2] satellite during its drift to, and operation at, 132.85° W.L.[3] EUTELSAT-WA is now on-station at 132.85° W.L. Restoration services include bi-annual testing, which will last approximately two hours per test, and TT&C services in the event the satellite's primary Ku-band TT&C experiences an anomaly.

The EUTELSAT-WA operations will continue to be performed in the following frequencies: 2085.688 MHz in the uplink (RHCP and LHCP) and 2265.0 MHz in the downlink (RHCP and LHCP). The drift operations will be coordinated with all operators of satellites that use the same frequency bands.[4] 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.

The 24x7 contact information for the EUTELSAT-WA TT&C operations is as follows:

Ph.: (703) 559-7701 – East Coast Operations Center (primary)

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[1] Intelsat has filed its STA request, an FCC Form 159, a $210.00 filing fee, and this supporting letter electronically via the International Bureau's Filing System ("IBFS").

[2] *See Policy Branch Information; Actions Taken*, Report No. SAT-01309, File No. SAT-PPL-20180302-00018 (Apr. 6, 2018) (Public Notice).

[3] *See* Intelsat License LLC, Request for STA Extension to Continue Operating 7.3m S-band Antenna at Paumalu, Hawaii, File No. SES-STA-20180912-02660 (stamp grant issued Sept. 21, 2018 by Paul Blais); *Satellite Communications Services Information; Actions Taken*, Report No. SES-02090, File No. SES-STA-20180711-01659 (Aug. 22, 2017) (Public Notice).

[4] Telespazio, the manager of the EUTELSAT-WA mission, will handle the coordination.

(310) 525-5591 – West Coast Operations Center (back-up)

Request to speak with Harry Burnham or Kevin Bell.

In further support of this further extension request, Intelsat incorporates by reference Exhibit A from its original request, which contains technical information 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 commercial terrestrial facility.

The U.S. Table of Frequency Allocations[5] allocates the 2025-2100 MHz band for Fixed, Mobile, and Federal use. The 2200-2290 MHz is allocated to Federal services (Space Operations, Earth Exploration-Satellite, Fixed, Mobile, and Space Research). In order to ensure Intelsat can provide TT&C restoration services in these bands, Intelsat requests waiver of the U.S. Table of Frequency Allocations to permit its 7.3m S-band antenna in Paumalu, Hawaii to communicate with EUTELSAT-WA for the limited purpose of emergency TT&C restoration.

The Commission may grant a waiver for good cause shown.[6] The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.[7] 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.[8] 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 to allow Intelsat's 7.3m S-band antenna to provide TT&C restoration services for EUTELSAT-WA using three small carriers within the 2025-2100 MHz and 2200-2290 MHz bands. Additionally, the anticipated operation of these carriers will be for a few hours of testing annually, as prolonged transmission would only occur in cases of spacecraft anomaly.

Good cause exists to waive the Table of Allocations for 2025-2100 MHz and 2200-2290 MHz frequency bands. The EUTELSAT-WA satellite is designed with its contingency TT&C frequencies in S-band, consistent with the allocation of ITU Region 1, where the satellite previously operated. As the spacecraft is now in orbit, it is not possible to change the contingency TT&C frequencies.

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

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[5] *See* 47 C.F.R. § 2.106.

[6] 47 C.F.R. §1.3.

[7] *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) ("*Northeast Cellular*").

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

any interference from authorized services."[9] As noted above, in the 2025-2100 MHz band, the Paumalu, Hawaii S-band antenna will transmit only a few hours per year unless there is an anomaly on the spacecraft. In the event an anomaly occurs, all efforts will be made to immediately regain use of the Ku-band TT&C. Additionally, in 2200-2290 MHz band, Intelsat agrees to accept any level of interference into this earth station from Federal users in the band.[10]

Grant of this STA further extension request will allow Intelsat to continue to be able to provide emergency restoration TT&C services to the EUTELSAT-WA spacecraft, which will ensure safe station-keeping of the satellite and thereby promotes the public interest.

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

Respectfully submitted,

/s/ Cynthia J. Grady

Cynthia J. Grady
Senior Counsel
Intelsat US LLC

cc: Paul Blais

[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] The Commission previously has authorized temporary commercial use of 2200-2290 MHz on this basis. *See Policy Branch Information*; Actions Taken, Report No. SES-02071, File No. SES-STA-20180530-01000 (June 20, 2018) (Public Notice).