

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
Request for Special Temporary Authority to Use Castle Rock, Colorado Earth Station KL92 to Provide LEOP Services for Eutelsat  
5WB

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 US LLC 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		

30 days "With conditions"

File # SES-STA-20190830-01133

Call Sign KL92 Grant Date 09/16/2019  
(or other identifier)

Term Dates  
From: 09/26/2019 To: 10/26/2019

Approved: 



<b>2. Contact</b>	
<b>Name:</b> Cynthia J. Grady	<b>Phone Number:</b> 703-559-6949
<b>Company:</b> Intelsat US LLC	<b>Fax Number:</b> 703-559-8539
<b>Street:</b> 7900 Tysons One Place	<b>E-Mail:</b> cynthia.grady@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).	
Governmental Entity <input type="radio"/> Noncommercial educational licensee	
Other (please explain):	
4b. Fee Classification CGX - Fixed Satellite Transmit/Receive Earth Station	
5. Type Request	
<input checked="" 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: 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 herein requests a grant of Special Temporary Authority for 30 days, commencing September 30, 2019, to use its Castle Rock, Colorado Ku-band earth station (Call Sign KL92) to provide launch and early orbit phase service for Eutelsat 5 West B.	
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"; 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 Senior 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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Applicant: Intelsat License LLC-  
File No.: SES-STA-20190830-01133  
Call Sign: KL92  
Special Temporary Authority

Intelsat License LLC- ("Intelsat") is granted a special temporary authority for 30 days, starting September 26, 2019, to operate its earth station in Castle Rock, Colorado to provide launch and early orbit phase ("LEOP") services for Eutelsat 5 West B ("Eutelsat 5WB"). Eutelsat 5WB will have an in-orbit testing location at 1.6° E.L. Eutelsat 5WB's final location will be 5° W.L. orbital location. Eutelsat 5WB is licensed by France. Operations shall utilize frequencies 14.2510 GHz, and 14.4998 GHz (RHCP) (Earth-to-space) and 11.1988 GHz, 11.1998 GHz, 12.501 GHz, and 12.502 GHz (LHCP) (space-to-Earth) under the following conditions:

1. Operations will not exceed the operational power levels and parameters coordinated.
2. All operations under this grant of special temporary authority shall be on an unprotected and non-harmful interference basis. Intelsat shall not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating radio communication system.
3. In the event of any harmful interference under this grant of special temporary authority, Intelsat must cease operations immediately upon notification of such interference, and must inform the Commission, in writing, immediately of such an event.
4. 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 Intelsat satellite is Ph.: (703) -559-7701-East Coast operations Center (primary) – (310)525-5591-West Coast Operations Center (back-up). Requests to speak with Harry Burnham or Kevin Bell.
5. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at Intelsat's risk.
6. Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending or future Intelsat applications.

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.


30 days "With conditions"

File # SES-STA-20190830-01133

Call Sign KL92 Grant Date 09/16/2019  
(or other identifier)

Term Dates  
From: 09/26/2019 To: 10/26/2019

Approved: Paul E. Hays



**GRANTED**  
International Bureau



**INTELSAT.**

*Envision. Connect. Transform.*

August 30, 2019

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”)<sup>1</sup> for 30 days, commencing September 30, 2019, to use its Castle Rock, Colorado Ku-band earth station (Call Sign KL92) to provide launch and early orbit phase (“LEOP”) services for Eutelsat 5 West B (“Eutelsat 5WB”). Eutelsat 5WB is expected to launch on September 30, 2019.<sup>2</sup> Intelsat expects to provide LEOP services for approximately 10 days.

The LEOP operations will be performed at the following frequencies: 12501.0 MHz, 12502.0 MHz, 11198.8 MHz, and 11199.8 MHz (LHCP) in the downlink; and 14251.0 MHz and 14499.8 MHz (RHCP) in the uplink. The LEOP operations will be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path.<sup>3</sup> 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.

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<sup>1</sup> Intelsat has filed its STA request, FCC Form 159, a \$210.00 filing fee, and this supporting letter electronically via the International Bureau’s Filing System (“IBFS”).

<sup>2</sup> The in-orbit testing location for Eutelsat 5WB, which Intelsat understands is licensed by France, will be 1.6° E.L. The satellite’s final location will be 5° W.L.

<sup>3</sup> Northrup Grumman Innovation Systems, Inc. (“NGIS”), the manager of the Eutelsat 5WB mission, will handle the coordination.

Ms. Marlene H. Dortch  
August 30, 2019  
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The 24x7 contact information for the Eutelsat 5WB 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 contains waiver requests. 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 Eutelsat 5WB LEOP mission NGIS will serve as the mission manager. NGIS 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 NGIS. 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 Eutelsat 5WB satellite and safely insert it into the geostationary arc. This will help provide services at the 5° W.L. location and thereby promotes the public interest.

Please direct any questions regarding this 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



## 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.<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 Eutelsat 5 West B ("Eutelsat 5WB") satellite. The information

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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.



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 Eutelsat 5WB satellite. Intelsat has a contract with Northrup Grumman Innovation Systems, Inc., the manufacturer of the Eutelsat 5WB satellite, to conduct 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 Eutelsat 5WB 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 10 days of LEOP services to the Eutelsat 5WB satellite.

It is Intelsat's understanding that Eutelsat 5WB is licensed by France, which is a WTO-member country. Thus, the purpose of Section 25.137—to ensure that U.S. satellite

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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).

Exhibit A  
Request for Special Temporary Authority  
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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 Eutelsat 5WB satellite using its U.S. earth station for a period of approximately 10 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 10 days, would pose undue hardship without serving underlying policy objectives. Given these particular facts, the waiver sought herein is plainly appropriate.