

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 Grant of Special Temporary Authority to Use Castle Rock, Colorado Earth Station E990323 to Provide TT&C Services for HYLAS-1

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		

30 days
"with conditions"

File # SES-STA-20200106-00015

Call Sign E990323 Grant Date 01/15/2020
(or other identifier)

Term Dates
From: 01/16/2020 To: 02/15/2020

Approved: Susan H. Crandall



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 type="radio"/> Use Prior to Grant	<input checked="" type="radio"/> Other
6. Requested Use Prior Date	
7. City Castle Rock	
8. Latitude (dd mm ss.s h) 39 16 35.0 N	

9. State	CO	10. Longitude (dd mm ss.s h)	104 48 23.9 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;"> <p>Intelsat License LLC herein requests 30 days of Special Temporary Authority, commencing January 16, 2020, to use its Castle Rock, Colorado Ku-band earth station (Call Sign E990323) to provide back-up telemetry, tracking, and command services for HYLAS-1 on-station at 79.0 W.L.</p> </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.	<p style="text-align: center;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </p>		
14. Name of Person Signing	Cynthia J. Grady	15. Title of Person Signing	Senior Counsel, Intelsat US LLC
<p style="text-align: center;">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).</p>			

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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.

Applicant: Intelsat License LLC
Call Sign: E990323
File No.: SES-STA-20200106-00015
Special Temporary Authority ("STA")

Intelsat License LLC is granted special temporary authority for 30 days, beginning January 16, 2020, to provide back-up telemetry, tracking, and command services for HYLAS-1 satellite on-station at 79.0 W.L on center frequencies 17302.048 MHz (LHCP) and 17305.051 MHz (H, RHCP) (Earth-to-space); and 11701.008 MHz (V, LHCP) and 11702.808 MHz (V, RHCP) (space-to-Earth) from its Castle Rock, CO fixed earth station under the following conditions:

1. 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 is as follows: 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.
2. All operations under this grant of STA shall be on an unprotected and non-harmful interference basis. Intelsat's E990323 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 as a result of operations under this grant of STA, Intelsat shall cease operations immediately upon notification of such interference and shall immediately inform the Commission, in writing, of such an event.
4. Grant of this STA is without prejudice to any determination that the Commission may make regarding pending or future Intelsat License LLC applications.
5. Any action taken or expense incurred as a result of operations pursuant to this STA is solely at Intelsat License LLC's risk.

This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.



File # SES-STA-20200106-00015
Call Sign E990323 Grant Date 01/15/2020
(or other identifier)
Term Dates
From: 01/16/2020 To: 02/15/2020
Approved: Paul E. Hester

January 3, 2020

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

Re: Request for Special Temporary Authority
Castle Rock, Colorado Earth Station E990323

Dear Ms. Dortch:

Intelsat License LLC (“Intelsat”) herein requests 30 days of Special Temporary Authority (“STA”),¹ commencing January 16, 2020, to use its Castle Rock, Colorado Ku-band earth station (Call Sign E990323) to provide back-up telemetry, tracking, and command (“TT&C”) services for HYLAS-1 on-station at 79.0° W.L.² Intelsat is currently providing TT&C services to HYLAS-1 using Intelsat’s Hagerstown, Maryland Ku-band antenna (Call Sign KA258).³ Intelsat expects to provide back-up TT&C for HYLAS-1 for approximately 1-2 months.

HYLAS-1 TT&C operations will be performed in the following frequencies:

- 17302.048 MHz (H, LHCP) and 17305.051 MHz (H, RHCP) in the uplink; and
- 11701.008 MHz (V, LHCP) and 11702.808 MHz (V, RHCP) in the downlink.

All potentially affected operators will be provided with an emergency phone number where the licensee can be reached in the event that harmful interference occurs. 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 HYLAS-1 TT&C operations is as follows:

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.

² HYLAS-1 is licensed by the United Kingdom.

³ See *Satellite Communications Services Information; Actions Taken*, Report No. SES-02227, File No. SES-STA-20191127-01596 (Dec. 18, 2019) (Public Notice).

Ms. Marlene H. Dortch
January 3, 2020
Page 2

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 Exhibits A and B, which contain waiver requests.

Grant of this STA request will allow Intelsat to help the operator of HYLAS-1 safely station-keep the satellite. This, in turn, will help ensure safe space operations and thereby promotes the public interest.

For the reasons set forth herein, Intelsat respectfully requests that the Commission grant this STA request. 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.¹ Intelsat License LLC ("Intelsat") herein seeks authority to provide telemetry, tracking, and command ("TT&C") 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 TT&C 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.

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.

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 TT&C services for the HYLAS-1 satellite for a short period of time. Obtaining the copious amount of information sought by Section 25.114 for only two months of TT&C services would be an undue hardship. Further, the information required under Section 25.114 of the FCC's rules is not necessary to determine potential harmful interference. As with any STA, Intelsat will perform the TT&C services on a non-interference basis.

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 any required technical information that is relevant to the TT&C services for which Intelsat seeks authorization.

Good cause also exists to waive Section 25.137 of the Commission'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 drifted and station-kept. Thus, the purpose of Section 25.137 would not be served by applying these rules to TT&C 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 two months of TT&C services to the HYLAS-1 satellite.

It is Intelsat's understanding that HYLAS-1 is licensed by the United Kingdom, 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 only expects to operate with the HYLAS-1 satellite using its U.S. earth station for a period of approximately two months. Requiring Intelsat to obtain copious technical and legal information, where there is no risk of harmful interference and the operations will cease after approximately two months, 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).

EXHIBIT B

Request for Waiver of Footnote US271 to the U.S. Table of Allocations

To the extent necessary, Intelsat requests a waiver of footnote US271 to the U.S. Table of Frequency Allocations, which limits the use of the 17.3-17.8 GHz frequency band to fixed-satellite service (Earth-to-space) feeder links for broadcasting satellite service ("BSS").¹ Intelsat seeks waiver to permit E990323, located in Castle Rock, Colorado, to communicate with the HYLAS-1 satellite on-station at 79.0° W.L.

The Commission may grant a waiver for good cause shown.² The Commission typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest.³ 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.⁴ Waiver is therefore appropriate if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.

Good cause exists to waive, for purposes of providing telemetry, tracking, and command ("TT&C") services to HYLAS-1, the designation of the 17.3-17.8 GHz frequency band for FSS feeder links only. The HYLAS-1 satellite is designed with its TT&C frequencies in the 17.3-17.8 GHz frequency band, consistent with the allocations of its prior location. As the spacecraft is now on-orbit, is not possible to change the TT&C frequencies. Allowing Intelsat to provide TT&C services in the 17.3-17.8 GHz frequency band will serve the public interest by ensuring the safe station-keeping of the HYLAS-1 satellite. Moreover, Intelsat's operations will be on a non-protected, non-interference basis.

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 any interference from authorized services."⁵ Intelsat expects to communicate with the

¹ See 47 C.F.R. § 2.106 fn. US271.

² 47 C.F.R. §1.3.

³ *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) ("*Northeast Cellular*").

⁴ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

⁵ 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).

HYLAS-1 satellite for approximately two months using only two frequencies in the 17.3-17.8 GHz band. As such, this use poses a negligible risk of potential interference to co-frequency operations in the 17.3-17.8 GHz frequency band.

Given these particular facts, the waiver sought herein is plainly appropriate.
