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 while drifting from 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 drift 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 HYLAS-1 satellite for approximately three 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.

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[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).