

Exhibit B: Petition for Waiver of C-band Freeze
Intelsat Request for Special Temporary Authority – Galaxy 31 and Galaxy 32

In 2018, the Federal Communications Commission (“FCC” or “Commission”) issued a Public Notice temporarily freezing applications for new or modified earth stations in the 3.7-4.2 GHz band.¹ While Intelsat believes that requests for Special Temporary Authority (“STA”) are outside of the scope of this freeze, out of an abundance of caution and to the extent necessary, Intelsat License LLC (“Intelsat”) seeks waiver of the *C-band Freeze* in order to provide launch and early orbit phase (“LEOP”), in-orbit testing (“IOT”), and telemetry, tracking, and command (“TT&C”) services for approximately 100 days in 4.0-4.2 GHz on a non-protected, non-interference basis.

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. Additionally, the Commission will consider waiver of the *C-band Freeze* “upon a demonstration that waiver will serve the public interest and not undermine the objectives of the freeze.”⁵

Good cause exists here to waive the *C-band Freeze*. Grant of this STA will serve the public interest by allowing Intelsat to help ensure the safe LEOP, IOT, and drift of Galaxy 31 and Galaxy 32, which will in turn allow the satellites to provide additional upper C-band capacity in furtherance of the Commission’s goal of clearing 3.7-4.0 GHz. Further, waiver will not undermine the objective of the freeze—to preserve the current landscape of authorized operations in the 3.7-4.2 GHz band pending Commission action in the C-band proceeding. The proposed operations will be on a non-protected basis for a short period of time –100 days—thereby causing no impact on the current C-band landscape.⁶ Additionally, the satellites’ use of TT&C frequencies in 4.0-4.2 is consistent with the *C-band Order*. Given these particular facts, the waiver sought herein is appropriate.

¹ See *Temporary Freeze on Applications for New or Modified Fixed Satellite Service Earth Station and Fixed Microwave Stations in the 3.7-4.2 GHz Band*; 90-day Window to File Applications for Earth Stations Currently Operating in 3.7-4.2 GHz Band, Public Notice, GN Docket Nos. 17-183, 18-122, DA 18-398 (Apr. 19, 2018) (“*C-band Freeze*”). The freeze on C-band earth stations in 4.0-4.2 GHz within the continental United States remains in place. See *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Order of Proposed Modification, 85 Fed. Reg. 22804, ¶¶ 149-151 (Apr. 23, 2020) (“*C-band Order*”).

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*, 419 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

⁵ *C-band Freeze* at 3.

⁶ *Id.* at 1, 3.