

### Narrative

Ovzon LLC ("Ovzon") seeks special temporary authority ("STA") under § 25.120(b)(3) to operate a 1.5m antenna in Tampa, Florida for 60 days commencing June 25 2021 on Hispamar Satélites, S.A.'s ("Hispamar's") AMAZONAS-2 satellite operating at 61° W.L. on an unprotected, non-interference basis in the following frequencies:

10790.0 - 10826.0 MHz (Vertical Polarization) (space-to-earth)  
11204.0 - 11240.0 MHz (Vertical Polarization) (space-to-earth)  
11324.0 - 11360.0 MHz (Vertical Polarization) (space-to-earth)  
12840.0 - 12876.0 MHz (Horizontal Polarization) (earth -to-space)  
13004.0 - 13040.0 MHz (Horizontal Polarization) (earth -to-space)  
13124.0 - 13160.0 MHz (Horizontal Polarization) (earth -to-space)

On October 15, 2009, the Satellite Division granted market access for the AMAZONAS-2 satellite.<sup>1</sup> On June 3, 2021, Hispamar filed an application to modify its authorization for the AMAZONAS-2 satellite to include authority to operate in the following Appendix 30B Ku-band frequencies:<sup>2</sup>

12.75 –13.25 GHz (Horizontal Polarization)  
12.75 –13.00 GHz (Vertical Polarization)  
10.70 –10.95 GHz and 11.2 –11.45 GHz (Vertical Polarization)  
10.70 –10.95 GHz (Horizontal Polarization)

Ovzon seeks to communicate with the AMAZONAS-2 satellite using this earth station in portions of the frequency bands requested in Hispamar's modification application to provide broadband service to Ovzon's customers in the United States. Consistent with the requirements of Section 25.120(b)(3), Ovzon is promptly going to follow up this STA request with an application for regular authority to operate a fixed earth station license under the same technical parameters specified herein.<sup>3</sup>

**The Requested STA Will Not Pose an Interference Risk to Terrestrial Systems.** Ovzon coordinated its use of the requested frequencies of this earth station with terrestrial operators in the Tampa, Florida area with an FCC-approved frequency coordinator and submits the completed frequency coordination as Attachment Exhibit A to this STA request. Based on this coordination, there is no risk for interference to terrestrial system due to the operation of this earth station.

**The Requested STA Will Not Pose an Interference Risk to Other Satellites.** The use of the above frequencies by AMAZONAS-2 is coordinated and operated under the following ITU filings submitted by the Administration of France: F-SAT-E-30B-61W: Appendix 30B Ku-band FSS planned bands.<sup>4</sup>

**Public Interest:** Ovzon is a satellite broadband provider serving the most demanding customers operating in the most adverse conditions; among these the U.S. government customers including the

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<sup>1</sup> Hispamar Satélites, S.A., Petition to Add the AMAZONAS-2 Space Station to the Permitted Space Station List, Call Sign S2793, SAT-PPL-20090806-00081 (granted Oct. 15, 2009).

<sup>2</sup> Hispamar Satélites, S.A., Application to Modify Authorization for AMAZONAS-2, Call Sign S2793, IBFS File No. SAT-MPL-20210603-00073 (filed Jun. 3, 2021) (Hispamar Application).

<sup>3</sup> Ovzon recognizes that the Commission will not grant its request for regular authority until the Commission grants the pending modification the AMAZONAS-2 market access authorization. To the extent necessary, Ovzon will seek additional STAs to continue operation of its earth station until the Commission grants the AMAZONAS-2 modification.

<sup>4</sup> See Hispamar Application Petition at 1-2.27

Department of Defense (“DoD”). This earth station will be part of a test and training network allowing Ovzon’s customers to acquaint themselves with the Ovzon service in the United States prior to using the service elsewhere in the world. Grant of this application for STA is in the public interest as it allows Ovzon to utilize available satellite capacity to promptly provide its U.S. government customers with service for critical testing and training exercises. Grant of this STA is also consistent with Commission precedent for granting earth station STAs to communicate with non-U.S.-licensed space stations while an application for full authority for the space station remains pending.<sup>5</sup>

**Waiver requests:** Ovzon requests a waiver of Section 2.106 Footnote NG52 in the U.S. Table of Frequency Allocations<sup>6</sup> to permit the use of the requested frequency bands by non-federal FSS operations with earth stations located both inside and outside the United States. Good cause for a waiver exists in this case. Grant of the requested waiver to permit domestic use of the requested frequencies is consistent with precedent for both downlink<sup>7</sup> and uplink<sup>8</sup> operations in the frequency bands requested by Ovzon. Such a waiver is justified as the operation of this earth station would be on an unprotected, non-interference basis, thereby not increasing the number of earth stations with which terrestrial operators would have to coordinate. As noted above, Ovzon coordinated its proposed operations with potentially impacted terrestrial operators, and thus grant of this STA will not contribute to an increased general risk of interference. Consistent with Commission grant of previous waivers of Footnote NG52, Ovzon certifies that i) its operations will be conducted on an unprotected, non-interference basis relative to terrestrial fixed stations, 2) it will accept any level of interference from terrestrial fixed stations and operators of terrestrial fixed stations will not be required to coordinate their operations with receiving earth stations, and iii) Ovzon will disclose to its customers, including end-users, that use of the frequency bands for domestic service is on an unprotected basis and that future terrestrial fixed stations may cause harmful interference to the earth stations, and iv) upon notice that its earth station operations are causing interference Ovzon would terminate operations and immediately inform the FCC of the event.

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<sup>5</sup> See, e.g., *EchoStar Corporation*, IBFS File No. SES-STA-20090811-00984 (granted Aug. 17, 2009); ; *O3b Limited*, IBFS File No. SES-STA-20120529-00490 (granted Jun. 15, 2012).

<sup>6</sup> 47 C.F.R. § 2.106, n.NG52.

<sup>7</sup> See, e.g., *Hispasat 30W-6* at ¶ 6; *Intelsat License LLC*, IBFS File No. SAT-LOA-20130722-00097 (granted May 22, 2015) (“*Intelsat 29e*”); *Intelsat License, LLC*, IBFS File No. SAT LOA-20101014-00219 (granted Jul. 26, 2011) (“*Intelsat 18*”); *PanAmSat Licensee Corp. Application for Authority to Use the Extended Ku-Band Frequencies for Domestic Service*, Order and Authorization, 20 FCC Rcd 14642, 14646 (Sat. Div., Int’l Bur., 2005) (“*PanAmSat Order*”).

<sup>8</sup> *Intelsat 29e* at ¶ 22; *DIRECTV Enterprises, LLC*, IBFS File. No. SAT-RPL-20140221-00026 at ¶ 12 (granted May 11, 2016).