Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
Telesat Canada	)	
	)	File No. SAT-PDR-20000420-00083
Petition for Declaratory Ruling For Inclusion of ANIK F1 on the Permitted Space Station List	)	

ORDER

Adopted: December 18, 2000 Released: December 19, 2000

By the Chief, Satellite and Radiocommunication Division, International Bureau:

I. INTRODUCTION

1. In this Order, we add Telesat Canada's (Telesat's) ANIK F1 satellite, located at 107.3º W.L., to the "Permitted Space Station List." This list is intended to streamline the process by which foreign-licensed satellites can access the U.S. market. It provides a framework to stimulate competition in the United States, provide consumers more alternatives in choosing communications providers and services, and facilitate technological innovation. As a result of this action, U.S. earth station operators will be able to transmit to ANIK F1 without modifying their licenses.

II. BACKGROUND

2. The Commission's *DISCO II Order* adopted a framework under which the Commission would consider requests for non-U.S. satellite systems to serve the United States. To implement this framework, the Commission, among other things, established a procedure by which a service provider in the United States could request immediate access to a foreign in-orbit satellite that would serve the U.S. market.[1] In the *DISCO II First Reconsideration Order*, the Commission streamlined this process by allowing the *operators* of in-orbit non-U.S. satellites offering fixed-satellite service to request authority to provide space segment capacity service to licensed earth stations in the United States. Under *DISCO II*, this request could be made only by an earth station operator. Further, once a non-U.S. space station is permitted to access the U.S. market pursuant to a complete *DISCO II* analysis, it is placed on the Permitted Space Station List upon the applicant's request. This list includes all satellites with which U.S. earth stations with routinely authorized technical parameters are permitted to communicate without additional Commission action,

[1] Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Satellites Providing Domestic and International Service in the United States, Report and Order, IB Docket No. 96-111, 12 FCC Rcd 24094, 24174 (para. 186) (1997) (*DISCO II*). For a more detailed summary of the *DISCO II* framework, see Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States, Order, IB Docket No. 96-111, 15 FCC Rcd 7207, 7209-10 (paras. 4-5) (1999) (*DISCO II First Reconsideration Order*).

provided that those communications fall within the same technical parameters and conditions established in the earth stations' original licenses.[2] The Permitted Space Station List is maintained on our website, and is also available via fax or e-mail.[3]

3. On April 20, 2000, Telesat requested us to add ANIK F1 to the Permitted List. New Skies Satellites N.V. (New Skies) filed comments on June 9, 2000, and Telesat filed a reply on June 14, 2000. New Skies filed subsequent *ex parte* statements on June 19 and October 16, 2000,[4] and Telesat filed *ex parte* statements on June 7, June 26, October 6, November 28, 2000, and December 14, 2000.[5]

III. DISCUSSION

A. General Framework

4. In *DISCO II*, the Commission set forth the public interest analysis applicable in evaluating applications to use non-U.S. licensed space stations to provide satellite service in the United States. This analysis considers the effect on competition in the United States,[6] spectrum availability,[7] eligibility and operating (*e.g.*, technical) requirements,[8] and national security, law enforcement, foreign policy, and trade concerns.[9] We evaluate Telesat's request under this framework.

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[2] *DISCO II First Reconsideration Order*, 15 FCC Rcd at 7214-16 (paras. 16-20).

[3] *DISCO II First Reconsideration Order*, 15 FCC Rcd at 7215-16 (para. 19).

[4] Letter from William M. Wiltshire, Counsel for New Skies, to Magalie Roman Salas, Secretary, Federal Communications Commission (dated June 19, 2000) (New Skies June 19 *ex parte* statement); Letter from William M. Wiltshire, Counsel for New Skies, to Magalie Roman Salas, Secretary, Federal Communications Commission (dated Oct. 16, 2000) (New Skies October 16 *ex parte* statement).

[5] Letter from Bert W. Rein, *et al*., Counsel for Telesat, to Magalie Roman Salas, Secretary, Federal Communications Commission (dated June 7, 2000) (Telesat June 7 *ex parte* statement); Letter from Bert W. Rein, *et al*., Counsel for Telesat, to Magalie Roman Salas, Secretary, Federal Communications Commission (dated June 26, 2000) (Telesat June 26 *ex parte* statement); Letter from Bert W. Rein, *et al*., Counsel for Telesat, to Magalie Roman Salas, Secretary, Federal Communications Commission (dated Oct. 6, 2000) (Telesat October 6 *ex parte* statement); Letter from Jennifer D. Hindin, Counsel for Telesat, to Magalie Roman Salas, Secretary, Federal Communications Commission (dated Nov. 28, 2000) (Telesat November 28 *ex parte* statement) Letter from Jennifer D. Hindin, Counsel for Telesat, to Magalie Roman Salas, Secretary, Federal Communications Commission (dated Dec. 14, 2000) (Telesat December 14 *ex parte* statement). In the Telesat October 6 *ex parte* statement, Telesat claims that there are no outstanding issues, and provides a proposed draft Order. Telesat updates the record in its November 28 *ex parte* statement.

[6] *DISCO II*, 12 FCC Rcd at 24107-56 (paras. 30-145).

[7] *DISCO II*, 12 FCC Rcd at 24157-59 (paras. 146-50).

[8] *DISCO II*, 12 FCC Rcd at 24159-69 (paras. 151-74).

[9] *DISCO II*, 12 FCC Rcd at 24169-72 (paras. 175-82).

B. Competition Considerations

5. In *DISCO II*, the Commission established a rebuttable presumption in favor of entry by non-U.S. satellites licensed by World Trade Organization (WTO) Members to provide services covered by the U.S. commitments under the WTO Agreement on Basic Telecommunications Services (WTO Basic Telecom Agreement).[10] These commitments included fixed-satellite service, except for direct-to-home (DTH) service. The Commission concluded that the market access commitments made by WTO Members under the WTO Basic Telecom Agreement will help ensure the presence and advancement of competition in the satellite services market and yield the benefits of a competitive marketplace to consumers in the United States and other countries.[11] In this case, the presumption in favor of entry is applicable to Telesat, because Canada is a WTO Member and a signatory to the WTO Basic Telecom Agreement.[12]

6. Telesat argues that, under the *DISCO II* presumption in favor of entry, it should be allowed to provide service in the United States using ANIK F1.[13] No comments demonstrate that allowing ANIK FI to enter the U.S. market would raise competition concerns of the kind discussed in *DISCO II*.[14] Consequently, we find that granting ANIK F1 entry into the U.S. market will further competition in the United States.

7. The United States made market access commitments for fixed satellite services before the WTO, but did not make market access commitments for DTH service, Direct Broadcast Satellite (DBS) service, and Digital Audio Radio Service (DARS), and took a most favored nation (MFN) exemption for these services as well.[15] Accordingly, as a condition on ANIK F1's placement on the Permitted List, we

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[10] *DISCO II*, 12 FCC Rcd at 24112 (para. 39).

[11] *DISCO II*, 12 FCC Rcd at 24112 (para. 39).

[12] See <www.wto.org/wto/services/tel01.htm> at n.2 for a list of all signatories to the WTO Basic Telecom Agreement. See <www.wto.org/wto/about/organsn6.htm> for a list of all WTO Members. *See also* Telesat Canada, Request for Declaratory Ruling or Petition for Waiver on Earth Stations' Use of ANIK E1 and ANIK E2 Satellite Capacity to Provide Basic Telecommunications Service in the United States, Order, 15 FCC Rcd 3649, 3651-53 (paras. 7-9) (Int'l Bur. 1999) (*First ANIK E1 and E2 Order*) (*DISCO II* presumption in favor of entry applies to Telesat).

[13] Telesat Petition at 6-7.

[14] The "competition concerns" contemplated by the Commission include market concentration, discrimination, below average variable cost pricing, or market power. *DISCO II*, 12 FCC Rcd at 24113 (para. 41). New Skies does argue, however, that allowing ANIK F1 to enter the U.S. market would not be in the public interest for technical reasons. We address those arguments below.

[15] Generally, GATS requires WTO Member Nations to afford MFN treatment to all other WTO Member Nations. "With respect to any measure covered by this Agreement, each Member shall accord immediately and unconditionally to services and service suppliers of any other Member treatment no less favourable than that it accords to like services and service suppliers of any other country." GATS Article II, para. 1. Member nations are permitted to take "MFN exemptions," however, under certain circumstances specified in an annex to GATS. *See* GATS Annex on Article II Exemptions.

prohibit U.S.-licensed earth stations from accessing ANIK F1 for DTH, DBS, and DARS.

C. Spectrum Availability

8. In *DISCO II*, the Commission determined that, given the scarcity of orbit and spectrum resources, it would consider spectrum availability as a factor in determining whether to allow a foreign satellite to serve the United States.[16] This is consistent with the Chairman's Note to the WTO Basic Telecom Agreement, which states that WTO Members may exercise their domestic spectrum/frequency management policies when considering foreign entry.

9. In this case, Telesat plans to locate ANIK F1 at an orbital position in accordance with a trilateral agreement for C- and Ku-band frequencies among the United States, Mexico, and Canada.[17] Consequently, in accordance with the Trilateral Agreement, the Commission has not licensed U.S. satellites in these frequency bands at or within two degrees of this location. Allowing ANIK F1 to serve the United States from the 107.3° W.L. orbit location, by itself, will not affect operations of any U.S.-licensed satellites nor contravene the Commission's spectrum/frequency management policies.

D. Eligibility Requirements

1. Legal and Financial Qualifications

10. In *DISCO II*, the Commission stated it would require non-U.S. space station operators to meet the same technical, legal, and financial qualifications that U.S.-licensed space station operators must meet to obtain a license.[18] In this case, we need not, however, require Telesat to demonstrate its financial qualifications to construct and launch satellites, because ANIK F1 is already in orbit.[19] The Bureau has previously determined that Telesat is legally qualified to provide satellite services in the United States.[20] Nothing in the record before us now gives us any reason to revisit that conclusion.[21]

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[16] *DISCO II*, 12 FCC Rcd at 24159 (para. 150).

[17] Trilateral Arrangement Regarding Use of the Geostationary Orbit by Canada, Mexico, and the United States, Public Notice, Mimeo No. 4406 (Sept. 2, 1988).

[18] *DISCO II*, 12 FCC Rcd at 24161-63 (paras. 154-59).

[19] *DISCO II*, 12 FCC Rcd at 24176 (para. 191) (financial qualification showing is not required for in-orbit satellite); Telesat November 28 *ex parte* statement at 1. When Telesat filed its original Permitted List request, it had not yet launched ANIK F1. At that time, Telesat sought waiver of the requirement to provide the detailed financial information set forth in Sections 25.114(c)(13), 25.114(c)(17), and 25.140 of the Commission's rules. Telesat Petition at 4. Because Telesat subsequently launched ANIK F1 on November 20, 2000, it no longer needs to demonstrate financial qualifications, and its petition for waiver is moot.

[20] *First ANIK E1 and E2 Order*, 15 FCC Rcd at 3653 (para. 13).

[21] The *DISCO II Order* also observed that the Commission generally requires a space station to be licensed before it will license any earth station to communicate with that satellite. Accordingly, the Commission required foreign space stations to be licensed, or fully coordinated in those administrations that do not issue

2. Technical Qualifications

11. New Skies states that it plans to launch and operate a satellite at 105° W.L., and to provide service in the United States with that satellite.[22] New Skies maintains that ANIK F1's EIRP is excessive, and that therefore the satellite is not two-degree-compliant. New Skies states that ANIK F1's peak equivalent isotropically radiated power (EIRP) is 46.3 dBW, compared with 38 dBW for ANIK E2 at 107.3° W.L., and 41 dBW for the GE Americom satellites at 101° W.L. and 103° W.L.[23] New Skies observes that non-U.S. licensed, non-two-degree-compliant satellites have been allowed to provide service in the United States only on a non-harmful interference basis.[24] New Skies argues that, while the Commission has not adopted a rigid EIRP limit in the C-band, the Commission should not allow satellites to operate at power levels so much higher than satellites in adjacent orbital locations that it is difficult to coordinate operations with those satellites.[25] New Skies requests that we not place ANIK F1 on the Permitted List until coordination of the 103° W.L., 105° W.L., and 107.3° W.L. orbit locations has been completed.[26] Telesat argues that completion of international coordination should not be a prerequisite for U.S. market entry.[27] New Skies replies that, if Telesat is allowed to serve the U.S. market at the power levels it proposes, it should be on a non-harmful interference basis only.[28]

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satellite licenses, in cases where an earth station operator seeks authority to access that satellite immediately. *DISCO II*, 12 FCC Rcd at 24177 (paras. 195-96). In its initial Permitted List request, Telesat maintains that, although it has not yet been "licensed" in Canada, it has obtained an "approval in principle" from Industry Canada. Telesat argues that this should be sufficient because Canada does not issue "licenses" until the satellite is ready to be launched. Telesat Petition at 5. Subsequently, Industry Canada has issued a license to Telesat for ANIK F1. Telesat November 28 *ex parte* statement at 1-2. We therefore do not reach the issue of whether Industry Canada's "approval in principle" should be treated like a license for purposes of the *DISCO II* analysis.

[22] New Skies Opposition at 2. New Skies plans to operate only in the C-band in the United States. Its Ku-band operations from the 105° W.L. orbit location will be limited to the Southern Hemisphere. New Skies June 19 *ex parte* statement at 1 n.1. New Skies states that it has initiated but not completed coordination with Telesat at 107.3° W.L. and GE Americom at 103° W.L. New Skies Opposition at 2.

[23] New Skies Opposition at 2-3; New Skies June 19 *ex parte* statement at 2.

[24] New Skies Opposition at 3, *citing ANIK E1 and E2 Order*, 15 FCC Rcd at 3654 (para. 15); New Skies Satellites, N.V., Order and Authorization, 14 FCC Rcd 13003, 13038 (para. 78) (1999); Williams Communications, Inc., Order, 15 FCC Rcd 5836, 5841 (para. 13) (Int'l Bur., Sat. and Rad. Div., 2000).

[25] New Skies Opposition at 4-5.

[26] New Skies Opposition at 4-5.

[27] Telesat October 6 *ex parte* statement, attached draft order at 6-7, *citing* The Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band, Report and Order, IB Docket No. 99-81, FCC 00-302 (released Aug. 25, 2000) (*2 GHz Report and Order*) at para. 147.

[28] New Skies October 16 *ex parte* statement at 3.

12. Telesat responds that its has submitted all the technical information required by Section 25.114, and claims that this information shows that ANIK F1 is two-degree-compliant.[29] Telesat also notes that it has successfully coordinated ANIK F1 with several other satellites, including a SatMex satellite only 1.9° away at 109.2° W.L.[30] Telesat maintains that it is premature for New Skies to assume that it will not be able to coordinate its satellite with Telesat.[31] Telesat also argues that it submitted its request for coordination of ANIK F1 to the ITU before New Skies submitted its request.[32] New Skies argues that the coordination agreement with SatMex regarding its satellite at 109.2° W.L. is not relevant because SatMex's satellite at this location operates almost entirely in Mexico.[33] Telesat replies that its coordination agreement covers future satellites at the 109.2° W.L. orbit location, and contemplates CONUS operation from both the 107.3° W.L. and 109.2° W.L. orbit locations.[34] New Skies replies that completing coordination does not by itself show that the satellite is two-degree-compliant.[35] According to New Skies, allowing Telesat to operate at the power levels it proposes at 107.3° W.L. would require earth stations accessing a satellite at 105° W.L. to accept a signal to noise plus interference ratio that is 4 dB lower than earth stations accessing ANIK F1, or to use antennas 1.58 times larger.[36]

13. Telesat maintains that ANIK F1's power levels are consistent with current state-of-the-art technology, and not excessive as New Skies claims.[37] Telesat also argues that newer satellites using higher power levels further the public interest by expanding available services.[38] New Skies replies that the power levels planned by Telesat are contrary to the public interest because they unnecessarily prejudice future

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[29] Telesat Petition at 2 and Exh. 1; Telesat Reply at 3.

[30] Telesat Reply at 3-4. At the time Telesat filed its petition, it stated that it was in the process of coordinating with SatMex. Telesat Petition at 2-3. Later, Telesat informed us that its coordination with SatMex had been completed. Telesat June 7 *ex parte* statement at 2.

[31] Telesat Reply at 4.

[32] Telesat Reply at 4.

[33] New Skies June 19 *ex parte* statement at 2. Telesat notes that ANIK F1's EIRP will vary from about 35-37 dBW at the U.S.-Mexico border to a peak of 46 dBW in the eastern U.S.-Canada border region. Telesat Reply at 5 n.10. New Skies argues that this demonstrates that Telesat could not coordinate with SatMex at higher power levels. New Skies June 19 *ex parte* statement at 2; New Skies October 16 *ex parte* statement at 1-2.

[34] Telesat June 26 *ex parte* statement at 2-3.

[35] New Skies October 16 *ex parte* statement at 1-2, *citing First ANIK E1 and E2 Order*, 15 FCC Rcd at 3654; Satelites Mexicanos, S.A. de C.V., Petition for Declaratory Ruling, Order, DA 00-1793 (Int'l Bur., Sat. and Rad. Div., released Oct. 3, 2000) (*SatMex Order*) at para. 13.

[36] New Skies October 16 *ex parte* statement at 2.

[37] Telesat Reply at 5-7.

[38] Telesat Reply at 6, *citing* Assignment of Orbital Locations to Space Stations in the Domestic Fixed-Satellite Service, Order and Authorizations, 11 FCC Rcd 13788, 13791 (para. 7) (1996).

satellites designed to serve CONUS from adjacent orbital locations.[39]

14. As an initial matter, we agree with Telesat that it is not necessary to complete international coordination before a satellite system can be authorized to provide service in the United States. In *DISCO II*, the Commission found that a satellite operator would not be required to submit certain technical information if its satellite had been coordinated with the United States, but did not require that the satellite be fully coordinated.[40] We expect that Telesat and New Skies, or Canada and the Netherlands, will cooperate to resolve these outstanding coordination issues.

15. We also conclude that ANIK F1's power levels are not excessive. New Skies claims that ANIK F1's power levels would force earth stations communicating with a future New Skies satellite at 105° W.L. to accept a lower signal-to-noise plus interference ratio or use a larger antenna.[41] We find that this is not relevant, because ANIK F1's power levels will not cause harmful interference to U.S. earth stations. Placing a satellite on the Permitted List authorizes only ALSAT-designated, routine earth stations to communicate with that satellite, and ALSAT-designated earth stations are two-degree-compliant by definition.[42] Two-degree-compliant earth stations operate at power levels that are within the power limits established in the Commission's rules.[43] Non-routine, non-two-degree-compliant earth stations must request authorization to modify their licenses before they could communicate with ANIK F1. In order to seek authorization for any such earth stations to communicate with ANIK F1, the earth station operator would need to demonstrate that such operations would not cause harmful interference to adjacent satellite systems in accordance with Part 25 of the Commission's rules.[44] Therefore, placing ANIK F1 on the Permitted List should not cause harmful interference into any other two-degree-compliant satellite system located as close as two degrees away from ANIK F1.[45]

16. Finally, based on our review of the technical information in Telesat's petition for declaratory ruling, we conclude that ANIK F1 complies with all applicable Commission rules, except Section 25.210(a)(3). Section 25.210(a)(3) requires that the C-band payload on the space station in question be

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[39] New Skies June 19 *ex parte* statement at 2.

[40] *DISCO II*, 12 FCC Rcd at 24175-76 (para. 191). *See also 2 GHz Report and Order* at paras. 147-48 (the Commission can rely on the ITU coordination process with respect to mobile satellite services (MSS) in the 2 GHz band, and assume that all Administrations will coordinate in good faith. However, until international coordination is completed, such MSS systems have no protection from interference).

[41] New Skies October 16 *ex parte* statement at 2.

[42] *DISCO II First Reconsideration Order*, 15 FCC Rcd at 7214-15 (para. 17).

[43] 47 C.F.R. §§ 25.134, 25.211, 25.212.

[44] *See* 47 C.F.R. §§ 25.209(f), 25.211(d), 25.212(d).

[45] Any non-routine, non-two-degree-compliant earth station must request authorization to modify its license before it could communicate with ANIK F1. Those non-routine operations would have to be coordinated with all other potentially affected satellite systems, and we would review that application on a case-by-case basis.

capable of switching polarity upon ground command. Telesat states that polarity-switching capability is necessary for two reasons: to permit U.S.-licensed satellites the flexibility to be assigned to different U.S. orbital positions, and to mitigate potential interference between adjacent fixed-satellite systems transmitting analog TV signals.[46] Telesat asserts that it will operate only in a Canadian orbital position, in accordance with the U.S.-Canada-Mexico Trilateral Arrangement,[47] and so flexibility to operate in different orbital positions is not necessary in its case.[48] Telesat also claims that it has coordinated transmission of analog TV signals with adjacent C-band operators serving the U.S. market, and will transmit such signals only on the transponders that have been coordinated for such use.[49]

17. On our own motion, we grant Telesat a waiver of Section 25.210(a)(3). Based on the information in Telesat's December 14 *ex parte* statement, we conclude that waiving Section 25.210(a)(3) will not undercut the policies underlying the Commission's adoption of this rule, provided that we place the appropriate conditions on this waiver. First, this waiver will remain in effect only as long as ANIK F1 remains at 107.3° W.L. Second, Telesat is required to operate ANIK F1 in accordance with the coordination agreements it has reached with operators of satellites that have been authorized to provide service to the U.S. market, and any future coordination agreements. These conditions will be included on the Permitted List with respect to ANIK F1.[50]

E. Other Issues

18. As described above, under *DISCO II*, national security, law enforcement, foreign policy, and trade concerns are included in the public interest analysis.[51] Nothing in the record before us raises any such concerns.

19. Finally, pursuant to the Bureau's Public Notice of December 17, 1999, placing a satellite on the Permitted List will permit international common carriers holding appropriate global international Section 214 authorizations to provide international telecommunications services using the satellite without the need to obtain additional Section 214 authority.[52] We find that it is in the public interest to allow

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[46] Telesat December 14 *ex parte* statement at 1.

[47] *See* Public Notice, Trilateral Arrangement Regarding Use of the Geostationary Orbit Reached by Canada, Mexico, and the United States (Sept. 2, 1988).

[48] Telesat December 14 *ex parte* statement at 1.

[49] Telesat December 14 *ex parte* statement at 2.

[50] We note that the Trilateral Arrangement precludes the United States from authorizing a U.S. licensed C-band satellite to operate in the 105° W.L. orbit location. If a non-U.S.-licensed satellite is placed in that orbit location and requests access to the United States, we will address any issues raised by that request at that time.

[51] *DISCO II*, 12 FCC Rcd at 24170-72 (paras. 178-82).

[52] *See* International Bureau Announced Process for Providing Service Under Global International Section 214 Authorizations Using Approved Non-U.S.-Licensed Satellite Systems Listed on the Permitted Space

common carriers with global international Section 214 authorizations to communicate with ANIK F1.

IV. CONCLUSION AND ORDERING CLAUSES

20. We have performed a complete *DISCO II* analysis in this Order, and have determined that certain conditions are necessary to preclude communications with ANIK F1 from causing harmful interference with other U.S.-licensed services. Accordingly, we hereby place ANIK F1 on the Permitted Space Station List, subject to the conditions set forth in this Order.[53]

21. Accordingly, IT IS ORDERED that, pursuant to Sections 303(r), 308, 309, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 303(r), 308, 309, 310, and Sections 25.121(a) and 25.137(c) of the Commission's rules, 47 C.F.R. §§ 25.121(a), 25.137(c), each earth station with "ALSAT" designated as a point of communication, IS GRANTED authority to provide Fixed Satellite Services (FSS), to, from, or within the United States, by accessing the ANIK F1 satellite, to be located at the 107.3° W.L. orbit location, subject to the conditions set forth in each earth station license and the following conditions:

(a) Telesat Canada is not authorized use ANIK F1 to provide any Direct-to-Home (DTH) service, Direct Broadcast Satellite (DBS) service, or Digital Audio Radio Service (DARS) to, from, or within the United States.
(b) Telesat Canada's operation of ANIK F1 must comply with its applicable current and future operational requirements as a result of coordination agreements with other satellite systems.

22. IT IS FURTHER ORDERED that the ANIK F1 satellite, together with the conditions set forth in paragraph 21 of this Order, IS PLACED on the "Permitted Space Station List." Access to the ANIK F1 satellite network SHALL BE in compliance with the satellite coordination agreements reached between the United States and Canada, and any future modifications to such agreements.

23. IT IS FURTHER ORDERED that Telesat Canada IS GRANTED a waiver of Section 25.210(a)(3) of the Commission's rules for the purpose of using ANIK F1 to communicate with ALSAT-designated earth stations in the United States in the conventional C-band. This waiver will remain in effect as long as ANIK F1 remains at 107.3° W.L. As a condition on this waiver, Telesat Canada must meet the requirements set forth in paragraph 21 of this Order.

Station List, Public Notice, DA 99-2844 (released Dec. 17, 1999).

[53] The Permitted Space Station List on the International Bureau's web site will be updated shortly to reflect this addition. This web site address is <www.fcc.gov/ib/srd/se/permitted.html>.

24. This Order 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. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the release of this Order. (*See* 47 C.F.R. § 1.4(b)(2).)

FEDERAL COMMUNICATIONS COMMISSION

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