

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

In the Matter of)	
)	
INTELSAT LLC)	
)	
Application to Modify Authorizations to)	File Nos.SAT-MOD-20010509-00032 to
Operate, and to Further Construct, Launch,)	SAT-MOD-20010509-00038
and Operate C-band and Ku-band Satellites)	
that Form a Global Communications)	
System in Geostationary Orbit)	
)	
Request for Special Temporary Authority to)	SAT-STA-20010815-00074
Conduct In-Orbit Testing of the)	
INTELSAT 902 satellite at 58.5° E.L.)	
)	
Request for Special Temporary Authority to)	SAT-STA-20010717-00066
Relocate the INTELSAT 901 Satellite)	
to 53° W.L.)	

ORDER AND AUTHORIZATION

Adopted: August 31, 2001

Released: September 4, 2001

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

INTRODUCTION

1. By this *Order*, we modify the licenses of Intelsat LLC to operate in-orbit satellites, and launch and operate additional satellites in the future.¹ We also grant Intelsat LLC Special Temporary Authority to conduct in-orbit testing of its previously authorized INTELSAT 902 satellite at the 58.5° E.L. orbit location, and to operate the INTELSAT 901 satellite at the 53° W.L. orbit location on a temporary basis. Grant of this authorization permits Intelsat LLC the flexibility to deploy its satellites to address operational needs and unforeseen circumstances that may affect continuity of service.

¹ See *Applications of Intelsat LLC for Authority to Operate, and to Further Construct, Launch, and Operate C-band and Ku-band Satellites that Form a Global Communications System in Geostationary Orbit*, Memorandum Opinion Order and Authorization, 15 FCC Rcd 15460, *recon. denied*, 15 FCC Rcd 25234 (2000), *further proceedings*, 16 FCC Rcd 12280 (2001) (*Intelsat LLC Orders*).

BACKGROUND

2. On August 8, 2000, the Commission granted Intelsat LLC authority to operate 17 in-orbit C-band and Ku-band satellites then-owned and operated by the International Telecommunications Satellite Organization (INTELSAT).² The Commission also granted Intelsat LLC authority to construct, launch, and operate 10 satellites planned by INTELSAT. The authorization also granted Intelsat LLC authority to relocate, among 22 orbit locations, certain currently operating satellites upon the launch of the 10 planned satellites.

3. On May 8, 2001, Intelsat LLC filed an application to modify the licenses granted for its INTELSAT 601, 602, 603, 604, 705, 901, and 902 satellites.³ All of these satellites provide C-band and Ku-band services. Intelsat LLC states that it routinely replaces older satellites before the end of their useful lives “to maximize the utility of orbital resources and to afford its customers the benefit of more extensive services.”⁴ According to Intelsat LLC, such upgrades occur on an on-going basis, allowing the system to evolve over time. Intelsat LLC also notes that these upgrades also require periodic license modifications. In addition, Intelsat LLC states that several of the modifications proposed here reflect a change in its deployment plan due to a technical anomaly outside of its control with the INTELSAT 706 satellite, which is currently located at the 53° W.L. orbital location. In order to ensure that this anomaly does not impair service at the 53° W.L. location, Intelsat LLC seeks to relocate satellites to orbital locations different from those authorized in the *Intelsat LLC Orders*.

4. Specifically, Intelsat requests authority to: i) continue operating the INTELSAT 601 satellite at the 34.5° W.L. orbit location, rather than relocate it to 85° E.L. in October 2001 as previously authorized; ii) relocate the INTELSAT 602 satellite from 62° E.L. to 33° E.L. in November 2001, rather than relocate it to 178° E.L. in April 2001 and then to 157° E.L. in August 2002 as previously authorized; iii) continue operating the INTELSAT 603 satellite at 24.5° W.L. until INTELSAT 903 is launched and on-station at that location, rather than relocate INTELSAT 603 to 62° E.L. in August 2001 as previously authorized;⁵ iv) continue operating the INTELSAT 604 satellite at 60° E.L. until INTELSAT 904 is launched and on-station at that location, rather than relocate INTELSAT 604 to 33° E.L. in May 2001, and then to 62° E.L. in September 2003 as previously authorized; v) relocate INTELSAT 705 from 18° W.L. to 53° W.L. in November 2001, where it will serve as an in-orbit back-up for the INTELSAT 706 satellite, rather than relocate it to 178° E.L. in July 2002 as previously authorized; vi) permit

² *Id.* Intelsat LLC is a U.S. corporation created by INTELSAT for the purpose of owning and operating INTELSAT’s C-band and Ku-band satellites upon INTELSAT’s privatization. INTELSAT privatized on July 18, 2001.

³ Application of Intelsat LLC to Modify Authorization and Operate, and Further Construct, Launch and, and Operate C-band and Ku-band Satellites that Form a Global Communications System in Geostationary Orbit, File Nos. SAT-MOD-20010509-00032 to SAT-MOD-20010509-00038 (May 8, 2001) (Intelsat LLC Modification Application). See Public Notice, Report No. SAT-00072 (rel. June 7, 2001).

⁴ Intelsat LLC Modification Application at 4.

⁵ Following the successful deployment of the INTELSAT 903 satellite, INTELSAT 603 will be relocated at 62° E.L. as originally authorized.

deployment of INTELSAT 901 at 18° W.L. in August 2001, rather than at 62° E.L. as previously authorized; and vii) permit deployment of INTELSAT 902 at 62° E.L. in August 2001, rather than at 60° E.L. as previously authorized.

5. Intelsat LLC also has filed requests for Special Temporary Authority to conduct in-orbit testing of the INTELSAT 902 satellite at the 58.5° E.L. orbit location from September 1, 2001 through October 15, 2001,⁶ and to relocate the INTELSAT 901 satellite from its in-orbit testing location at 67.5° W.L., to 53° W.L. to serve as a temporary backup for INTELSAT 706 during the 2001 Northern Hemisphere Fall solar eclipse season, *i.e.*, until October 14, 2001.⁷ On August 10, 2001, we verbally granted Intelsat LLC Special Temporary Authority to begin relocating INTELSAT 901 to 53° W.L., valid for 30 days commencing August 12, 2001.

DISCUSSION

6. Under the circumstances presented here, we find that a grant of Intelsat's application to modify the licenses for the INTELSAT 601, 602, 603, 604, 705, 901 and 902 satellites will serve the public interest. The Commission has recognized that licensees are in a better position to determine how to tailor their systems to meet the particular needs of customers.⁸ The Commission also has held that satellite licensees should have the operational flexibility in deploying satellites to deal with unforeseen circumstances. Thus, the Commission will generally grant a licensee's request to modify its system "provided there are no compelling countervailing public interest considerations."⁹

7. There are no countervailing public interest considerations in this case. Intelsat LLC is seeking to change its deployment of satellites between authorized orbital locations, and no new orbit locations are requested. Intelsat LLC states that these modifications are required in order to better serve its customer base in general, and to ensure backup capacity for the INTELSAT 706 satellite that suffered an operational anomaly. These circumstances justify a grant of Intelsat LLC's modification application.

8. We also find that a grant of Special Temporary Authority to conduct in-orbit testing of its previously authorized INTELSAT 902 satellite at the 58.5° E.L. orbital location, instead of its authorized 62° E.L. location, will serve the public interest.¹⁰ The Commission

⁶ See Letter from Jennifer Hindin, Esq., Attorney for Intelsat LLC to Magalie Salas, Secretary, FCC, File No. SAT-STA-20010815-00074 (August 15, 2001); Public Notice, Report No. SAT-00080 (rel. August 24, 2001).

⁷ See Letters from Jennifer Hindin, Esq., Attorney for Intelsat LLC to Magalie Salas, Secretary, FCC, File No. SAT-STA-20010717-00066 (July 17, 2001, amended August 9, 2001); Public Notice, Report No. SAT-00078 (rel. August 7, 2001). As described in paragraph 4, INTELSAT 705 will ultimately move to 53° W.L. as the authorized in-orbit co-located backup to INTELSAT 706, and INTELSAT 901 will ultimately move to 18° W.L.

⁸ See, *e.g.*, *AMSC Subsidiary Corporation*, Order and Authorization, 13 FCC Rcd 12316, 12318 ¶ 8 (Int'l Bur. 1998).

⁹ *Id.*

¹⁰ Intelsat LLC states that there is no other satellite operating at 58.5° E.L., and that it has coordinated with all adjacent satellite operators.

typically allows licensees to conduct in-orbit testing at orbit locations different from those authorized, subject to coordination with affected adjacent satellite operators, to allow licensees to continue to provide service to customers from satellites that are scheduled for replacement until the replacement satellite is ready to begin providing service. Similarly, granting Special Temporary Authority for Intelsat LLC to co-locate the INTELSAT 901 satellite at the 53° W.L. orbit location as a backup for the INTELSAT 706 satellite during the 2001 Northern Hemisphere Fall solar eclipse season will ensure continuity of service.

ORDERING CLAUSES

9. Accordingly, IT IS ORDERED, that application File Nos. SAT-MOD-20010509-00032 to SAT-MOD-20010509-00038 ARE GRANTED and the licenses for the INTELSAT 601, 602, 603, 604, 705, 901 and 902 satellites ARE MODIFIED as specified in paragraph 4 *supra*.

10. IT IS FURTHER ORDERED that the request for Special Temporary Authority, File No. SAT-STA-20010815-00074, IS GRANTED, and Intelsat LLC is authorized to conduct in-orbit testing of the INTELSAT 902 satellite at the 58.5° E.L. orbit location from September 1, 2001 through October 15, 2001, subject to the condition that no harmful interference shall be caused to any lawfully operating satellite or radiocommunication system and operations shall cease immediately upon notification of harmful interference.

11. IT IS FURTHER ORDERED that the request for Special Temporary Authority, File No. SAT-STA-20010717-00066, IS GRANTED, and Intelsat LLC is authorized to relocate the INTELSAT 901 satellite from the 67.5° W.L. orbit location to the 53° W.L. orbit location as a temporary backup for the INTELSAT 706 satellite until October 14, 2001, subject to the following conditions:

- a) Intelsat LLC shall not operate the communications payload on the INTELSAT 901 satellite during the drift of the INTELSAT 901 satellite from 67.5° W.L. to 53° W.L.
- b) During the drift of the INTELSAT 901 satellite from 67.5° W.L. to 53° W.L., Intelsat LLC shall coordinate its tracking, telemetry, and command operations with existing geostationary satellites to ensure that no unacceptable interference results.
- c) As of October 15, 2001, Intelsat LLC is required to move the INTELSAT 901 satellite to its authorized orbit location at 18° W.L.

12. IT IS FURTHER ORDERED that this authorization is subject to the same terms and conditions set forth in the *INTELSAT LLC Orders*.

13. 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 adoption.

FEDERAL COMMUNICATIONS COMMISSION

Thomas S. Tycz
Chief, Satellite and Radiocommunication Division
International Bureau