

Before the  
 Federal Communications Commission  
 Washington, D.C. 20554

In the Matter of )  
 )  
 )  
 Second Round Assignment of Geostationary )  
 Satellite Orbit Locations to Fixed Satellite )  
 Service Space Stations in the Ka-Band )

ORDER

Adopted: July 29, 2002

Released: July 30, 2002

By the Chief, Satellite Division:

1. In August 2001, the Bureau authorized 11 companies to provide, fixed-satellite service (FSS) from satellites in geostationary-satellite orbit operating in parts of the Ka-band frequencies.<sup>1</sup> On the same day, the Bureau adopted the *Second Round GSO Assignment Order* that assigned these satellites to a total of 34 orbit locations.<sup>2</sup> We subsequently completed action on KaStarCom. World Satellite, LLC’s (“KaStarCom”) authorization, and assigned KaStarCom two orbit locations with smaller operating bandwidths.<sup>3</sup> These Ka-band satellite systems have the potential to provide a wide variety of broadband interactive, direct-to-home, and digital services to all areas of the United States, including under-served and rural areas, and around the world.

2. In the *Second Round Assignment Order*, the Bureau noted that it would entertain requests for changes in the orbital assignment plan if they were consistent with the basic structure of our assignment plan and were agreed by all parties. We also noted that any alternative orbital arrangement, including requests for any unassigned orbital locations, must be presented to the Commission within 30 days. The Bureau received, within the thirty day period, two separate requests for reassignment, to unassigned orbital locations. Specifically, Hughes requested reassignment from the 26.2° W.L. to the 30° E.L. orbital location.<sup>4</sup> Loral requested reassignment from the 147° W.L. to the 139° E.L. orbital location.<sup>5</sup> We

<sup>1</sup> The term “Ka-band” refers to the space-to-earth communications (downlink) in radio frequencies at 17.7-20.2 GHz and the corresponding earth-to space communications (uplink) in frequencies at 27.5-30.0 GHz.

<sup>2</sup> See *Second Round Assignment of Geostationary Satellite Orbit Locations to Fixed Satellite Service Space Stations in the Ka-Band*, Order, DA 01-1693, 16 FCC Rcd 14389 (Int’l Bur. August 3, 2001) (“*Second Round GSO Assignment Order*”).

<sup>3</sup> See *In the Matter of KaStarCom. World Satellite, LLC Application for Authority to Construct, Launch, and Operate a Ka-Band Satellite System in the Fixed-Satellite Service*, Order and Authorization, DA 01-2614 (Int’l Bur. November 13, 2001). The *Second Round GSO Assignment Order*, assigned KaStarCom to the 111° W.L. orbital location and authorized it to operate on 1000 megahertz of spectrum in each transmission direction. The Bureau subsequently modified KaStarCom’s authorization to allow it to operate at the 73° W.L. and 109.2° W.L. orbital locations on 500 megahertz of spectrum in each transmission direction at each of those locations.

<sup>4</sup> See Letter to Donald Abelson, International Bureau, Chief, Federal Communications Commission, from John P. Janka, Counsel for Hughes Communications, Inc. (dated September 4, 2001).

received no comments or oppositions to these requests.<sup>6</sup> Therefore, we grant these requests. We are attaching an updated assignment chart to reflect the revisions to the Ka-band assignment plan, including assignments made in both the First and Second Processing Rounds, in the Appendix.<sup>7</sup>

3. To the extent that any other orbit locations become available for reassignment as the result of future Commission action, we will make these orbital locations available for reassignment to all Ka-band licensees before considering new applications for these locations. As with all previous assignment plans, we will entertain requests for reassignment to the available locations if these changes are consistent with the basic structure of our assignment plan and are agreed by all, or at least most, of the satellite operators affected by the change. If all operators do not agree, the burden is on the operator proposing the change to demonstrate that its alternative is preferable to the adopted plan.

4. We believe that pursuant to Section 309 of the Communications Act, 47 U.S.C. § 309, the public interest, convenience, and necessity will be served by adopting the reassignments reflected in the Appendix.

5. Accordingly, IT IS ORDERED that the Ka-band orbital assignment plan is revised as set forth in the Appendix and the licensees of these space stations shall promptly undertake all actions necessary to implement this orbital assignment plan, including coordinating with other U.S. satellite operators and with operators licensed by other administrations and providing the Commission with any additional information necessary to effectuate coordination and notification of frequency assignments pursuant to the international Radio Regulations.<sup>8</sup>

6. IT IS FURTHER ORDERED that the assignment of any orbital location is subject to change by summary order of the Commission on 30 days notice and does not confer any permanent right to the use of the geostationary-satellite orbit or spectrum.

7. This Order is issued pursuant to Section 0.261 of the Commission's rule or delegations of 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 public notice of this order (*see* 47 C.F.R. § 1.4(b)(2)).

---

(...continued from previous page)

<sup>5</sup> See Letter to Magalie Roman Salas, Secretary, Federal Communications Commission, from John Stern, Associate General Counsel for Loral Space & Communications (dated August 31, 2001).

<sup>6</sup> We note that DirectCom filed a Petition for Partial Reconsideration of the International Bureau's *Second Round GSO Assignment Order*. See *DirectCom Network, Inc.'s Authorization to Construct, Launch and Operate a System of Two Ka-band Satellites in the Fixed Satellite Service*, Petition for Partial Reconsideration, File Nos. SAT-LOA-19971222-00214; 00215, DA 01-1693 (filed September 4, 2001). We will address these issues in a separate Order.

<sup>7</sup> See *In the Matter of EchoStar Satellite Corporation Application for Authority to Construct, Launch, and Operate a Ka-band Satellite System in the Fixed-Satellite Service*, Memorandum Opinion and Order, DA 02-1534 (Int'l Bur. 2002). The chart reflects a recent International Bureau action where it canceled EchoStar Satellite Corporation's authorization to construct, launch and operate a Ka-band satellite system in the fixed-satellite service. EchoStar was licensed to use 500 megahertz of uplink and 500 megahertz of downlink spectrum in portions of the Ka-band at both the 83° W.L. and 121° W.L. orbital locations. EchoStar has filed a Petition for Reconsideration of the cancellation order.

<sup>8</sup> See 47 C.F.R. § 25.111(b).

## FEDERAL COMMUNICATIONS COMMISSION

Thomas S. Tycz  
Chief  
Satellite Division

**APPENDIX**  
**Ka-Band GSO Orbit Assignment Plan**

<b><u>Orbit Location</u></b>	<b><u>Licensee</u></b>
175° W.L	[Available]
147° W.L	[Available]
139° W.L	[Available]
133° W.L	PanAmSat Corporation
131° W.L	Hughes Communications, Inc.
129° W.L	Lockheed Martin Corporation
127° W.L	DirectCom Networks, Inc.
125° W.L	CAI Data Systems, Inc.
123° W.L	DirectCom Networks, Inc.
121° W.L.	[Available] (500 megahertz) Celsat America, Inc. (500 megahertz)
119° W.L.	TRW, Inc.
117° W.L.	Pegasus Development Corporation
115° W.L.	CyberStar Licensee LLC
113° W.L.	VisionStar, Inc.
111° W.L	KaStarCom World Satellite, LLC
109.2° W.L.	WB Holdings 1, LLC (500 megahertz) KaStarCom. World Satellite, LLC (500 megahertz)
107° W.L.	Pegasus Development Corporation
105° W.L.	GE American Communications, Inc.

---

103° W.L.	PanAmSat Corporation
101° W.L.	Hughes Communications Galaxy, Inc.
99° W.L.	Hughes Communications Galaxy, Inc.
97° W.L.	Astrolink International LLC
95° W.L.	NetSat 28 Company, LLC
93° W.L.	CyberStar Licensee LLC
91° W.L.	Motorola, Inc.
89° W.L.	Loral Space & Communications Corporation
87° W.L.	Motorola, Inc.
85° W.L.	GE American Communications, Inc.
83° W.L.	[Available] (500 megahertz) Celsat America, Inc. (500 megahertz)
81° W.L.	Loral Space & Communications Corporation
79° W.L.	TRW, Inc.
77° W.L.	Motorola, Inc.
75° W.L.	Motorola, Inc.
73° W.L.	WB Holdings 1 LLC (500 megahertz) KaStarCom. World Satellite, LLC (500 megahertz)
71° W.L.	Pacific Century Group, Inc.
67° W.L.	Loral CyberStar, Inc.
62° W.L.	Pacific Century Group, Inc.
58° W.L.	PanAmSat Corporation
51° W.L.	Lockheed Martin Corporation
49° W.L.	Hughes Communications Galaxy, Inc.
47° W.L.	Loral Space & Communications Corporation
45° W.L.	PanAmSat Corporation
43° W.L.	Pegasus Development Corporation

---

26.2° W.L.	[Available]
21.5° W.L.	Astrolink International LLC
17° W.L.	GE American Communications, Inc.
15° W.L.	Loral CyberStar, Inc.
7.5° W.L.	Hughes Communications, Inc.
2° E.L.	Astrolink International LLC
15° E.L.	TRW, Inc.
25° E.L.	Hughes Communications Galaxy, Inc.
28° E.L.	Pegasus Development Corporation
30° E.L.	Hughes Communications, Inc.
36° E.L.	PanAmSat Corporation
38° E.L.	[Available]
40° E.L.	PanAmSat Corporation
42° E.L.	[Available]
46° E.L.	[Available]
48° E.L.	PanAmSat Corporation
50° E.L.	[Available]
52° E.L.	Lockheed Martin Corporation
54° E.L.	Hughes Communications Galaxy, Inc.
56° E.L.	GE American Communications, Inc.
64.5° E.L.	[Available]
68.5° E.L.	PanAmSat Corporation
70.5° E.L.	[Available]
72.7° E.L.	PanAmSat Corporation
78° E.L.	Loral Space & Communications Corporation
89° E.L.	[Available]

---

97° E.L.	[Available]
99° E.L.	Lockheed Martin Corporation
101° E.L.	Hughes Communications Galaxy, Inc.
103° E.L.	Hughes Communications, Inc.
105.5° E.L.	CyberStar Licensee, LLC
107.5° E.L.	Pegasus Development Corporation
111° E.L.	Hughes Communications Galaxy, Inc.
114.5° E.L.	GE American Communications, Inc.
116.5° E.L.	TRW, Inc.
124.5° E.L.	PanAmSat Corporation
126.5° E.L.	Loral CyberStar, Inc.
130° E.L.	Astrolink International LLC
139° E.L.	Loral Cyberstar, Inc.
149° E.L.	PanAmSat Corporation
151.5° E.L.	Lockheed Martin Corporation
155° E.L.	[Available]
160° E.L.	[Available]
164° E.L.	Hughes Communications Galaxy, Inc.
166° E.L.	PanAmSat Corporation
169° E.L.	[Available]
173° E.L.	PanAmSat Corporation
175.25° E.L.	Astrolink International LLC