



Federal Communications Commission
Washington, D.C. 20554

International Bureau

DA 10-362

March 2, 2010

Daniel C. H. Mah
Regulatory Counsel
SES Americom, Inc.
2001 L Street, NW
Suite 800
Washington, DC 20036

Re: SES Americom Inc, Application for Authority to Launch
and Operate a Satellite at 101° W.L.,
IBFS File No. SAT-RPL-20100120-00014
Call Sign: S2807

Dear Mr. Mah:

On January 20, 2010, SES Americom, Inc, d/b/a SES WORLD SKIES, (SES Americom) filed the above-captioned application to launch the SES-1 satellite and operate replacement C- and Ku-band frequencies at the 101° W.L. orbital location. For the reasons discussed below, we dismiss the application, in part, without prejudice to refiling.

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. In this instance, SES Americom's application for launch and operating authority for the SES-1 satellite is missing the technical information for the 17/24 GHz payload on the SES-1 satellite,¹ as required by Section 25.114 of the Commission's rules, 47 C.F.R. § 25.114. Although SES Americom states that it will not be operating the 17/24 GHz payload at the 101° W.L. orbital location, technical information relating to the 17/24 GHz payload is required because SES Americom is seeking construction and launch authority for this payload and contemplates operating the payload for testing purposes at another orbital location.² Consequently, SES Americom's failure to submit the required technical information for the 17/24 GHz payload renders this portion of the application unacceptable for filing.

We note that SES Americom has indicated that it has secured a mid-April launch date for launch of the SES-1 satellite. In light of the imminent launch and the fact that SES Americom contemplates operating the 17/24 GHz payload for testing purposes, we request that SES Americom file expeditiously an amendment concerning this frequency band. SES Americom may request authority for in-orbit testing pursuant to a

¹ In its application SES Americom states that "the SES-1 spacecraft is being built with a 17/24 GHz Broadcasting Satellite Service (BSS) payload. SES WORLD SKIES does not propose to use this payload at 101° W.L." Application of SES Americom Inc., Legal Narrative at 1 n.2.

² 47 C.F.R. § 25.113(g). *See also* ITU Radio Regulation 18.1 (requiring a license for a transmitting station "established or operated by a private person or enterprise") and 47 U.S.C. § 303(r).

request for special temporary authority or as part of the amendment. Any such request should also include justification for any waivers to operate in a manner not in compliance with the Commission's rules.³

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss the portion of the SES Americom's application relating the 17/24 GHz payload without prejudice to refiling.

Sincerely,

Robert G. Nelson
Chief, Satellite Division
International Bureau

³ 47 C.F.R. § 25.112(a). Alternatively, SES Americom may commit to no space station operations in the 17/24 GHz frequency band, or may provide information concerning the licensing Administration for space station operations in this band. In either event, SES Americom must provide the full technical information regarding the 17/24 GHz payload included on the SES-1 satellite.