

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

In the Matter of )
Intelsat S.A., as debtor-in-possession, ) IB Docket No. 21-375
(Transferor) )
and )
New TopCo S.A. (Transferee) )

ORDER

Adopted: October 22, 2021

Released: October 22, 2021

By the Chief, Satellite Division, International Bureau:

1. Spectrum Five LLC (Spectrum Five) requests a 30-day extension of time to file comments in response to applications for assignment and transfer of control of authorizations held by Intelsat S.A., as debtor-in-possession (Intelsat).<sup>1</sup> For the reasons stated below, we deny the Motion.

2. On November 6, 2020, Spectrum Five submitted a "Petition for Enforcement of Operational Limits and for Expedited Proceedings to Revoke Satellite Licenses."<sup>2</sup> The petition concerns two space stations – Intelsat 30 and Intelsat 31 – operated by Intelsat at the 95.05° W.L. orbital location, near a space station operated by Spectrum Five at 95.15° W.L.<sup>3</sup> The petition alleges that Intelsat’s operations do not comply with their licenses or the International Telecommunication Union Radio Regulations.<sup>4</sup> Spectrum Five conducted third-party measurements of Intelsat 30 and Intelsat 31 in connection with the petition.<sup>5</sup> Intelsat License LLC and AT&T Services, Inc., opposed Spectrum Five’s petition.<sup>6</sup>

3. On August 26, 2021, Intelsat filed applications for assignment and transfer of control of Commission authorizations in connection with its planned emergence from bankruptcy.<sup>7</sup> A public notice

<sup>1</sup> Motion of Spectrum Five LLC for Extension of Time to File Comments, IB Docket No. 21-375 (filed Oct. 11, 2021) (Motion).

<sup>2</sup> Petition of Spectrum Five for Enforcement of Operational Limits and for Expedited Proceedings to Revoke Satellite Licenses, IB Docket No. 20-399 (filed Nov. 6, 2020).

<sup>3</sup> See Motion at 1-2.

<sup>4</sup> See id. at 1.

<sup>5</sup> Id.

<sup>6</sup> Opposition of Intelsat License LLC to Petition of Spectrum Five LLC, IB Docket No. 20-399 (filed Dec. 8, 2020); Letter from Michael P. Goggin, Assistant Vice President - Senior Legal Counsel, AT&T Services, Inc., to Marlene H. Dortch, Secretary, FCC, IB Docket No. 20-399 (filed Dec. 8, 2020).

<sup>7</sup> See, e.g., Application for Assignment of Authorizations held by Intelsat License, as debtor-in-possession, IBFS File No. SAT-ASG-20210826-00117 (filed Aug. 26, 2021).

released September 24, 2021, provided 31 days for the filing of comments on the Intelsat applications, until October 25, 2021.<sup>8</sup>

4. Spectrum Five requests a 30-day extension of the comment deadline, until November 24, 2021, so that it may “conduct additional testing to determine whether Spectrum Five and Intelsat [space] stations can both operate and peacefully coexist.”<sup>9</sup> Intelsat opposes the extension request.<sup>10</sup>

5. It is the policy of the Commission that extensions of time shall not be routinely granted.<sup>11</sup> In its Motion, Spectrum Five does not describe the specific additional testing, or why such testing could not be performed prior to the comment deadline or after it. In these circumstances, we conclude that the high standard for extension of the comment deadline has not been satisfied.

6. Accordingly, IT IS ORDERED that, pursuant to sections 0.261 and 1.46 of the Commission’s rules, 47 C.F.R. §§ 0.261, 1.46, Spectrum Five’s Motion IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Karl A. Kensinger  
Chief, Satellite Division  
International Bureau

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<sup>8</sup> *Applications Filed for Assignment and Transfer of Control by Intelsat S.A., as Debtor-in-Possession*, Public Notice, DA 21-1200, IB Docket No. 21-375 (IB, WTB, and OET, Sept. 24, 2021). Because the end of the standard 30-day comment period would fall on Sunday, October 24, the filing deadline was extended to the next business day. See 47 CFR §§ 1.4(j), 25.154(a)(2).

<sup>9</sup> Motion at 2.

<sup>10</sup> Opposition of Intelsat License LLC to Motion for Extension of Time to File Comments, IB Docket No. 21-375 (filed Oct. 14, 2021).

<sup>11</sup> 47 CFR § 1.46(a).