

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

In the Matter of

COMSAT CORPORATION File No. I-T-C-95-407

Application for authority pursuant to Section 214 of the Communications Act 1934, as amended, to establish channels communication via INTELSAT satellites in the Atlantic Ocean Region between Andover, Maine and Coral Gables, Florida and between Andover, Maine and Silver Spring, Maryland on an incidental basis as an integral part of an international VSAT system

ORDER AND AUTHORIZATION

Adopted: March 8, 1996; Released: March 22, 1996

By the Chief, Satellite and Radiocommunication Division:

1. By this Order we authorize Communications Satellite Corporation ("COMSAT") to establish channels of communications via Intelsat satellites in the Atlantic Ocean Region between an MCI hub earth station in Andover, Maine and a National Ocean and Atmospheric Administration ("NOAA") earth station in Coral Gables, Florida and between Andover, Maine and NOAA's earth station in Silver Spring, Maryland. No comments were filed in response to COMSAT's application.

2. COMSAT proposes to establish channels of communications between the above locations as an integral part of MCI's international VSAT network which supports NOAA's International Satellite Communications System ("ISCS"). The ISCS VSAT network MCI is implementing for NOAA will consist of approximately fifty sites in Central America, South America, the Caribbean and the Pacific. MCI's antenna at Andover, Maine will serve as the hub of the network. Because the National Weather Service Hurricane Center is based in Coral Gables, Florida, and NOAA's headquarters are in Silver Spring, Maryland -- both of which are critical components of the ISCS international network -- COMSAT proposes to provide Intelsat C-band capacity, including transmit/receive capability, between these points as an incidental part of the international VSAT network supporting the ISCS. COMSAT notes that the proposed service is primarily international in nature and cannot be provided in its entirety by domestic satellite facilities. Under these circumstances, COMSAT states that use of the Intelsat system for the limited domestic service

proposed is the most efficient and cost-effective means of providing the service and is consistent with Commission precedent and the public interest.

3. We find that authorization of COMSAT's application to establish channels of communications will serve the present and future public convenience and necessity. COMSAT states that the proposed service requirements are primarily international in nature. The Commission has previously recognized that, under certain circumstances, the use of a single satellite is the most efficient means of providing service to domestic and international points where one service component is incidental to the primary service.¹ For example, the Commission has authorized COMSAT to provide space segment capacity for service between U.S. points incidental to an international VSAT network.² The same situation is presented here where Comsat proposes to provide primarily international service which cannot be provided in its entirety by facilities providing U.S. domestic service. Under these circumstances, use of an Intelsat satellite for the limited domestic service proposed appears to be the most efficient and cost-effective means of providing service. Our finding that Intelsat satellites may be used to provide domestic service on an incidental basis should not be construed as permitting the provision of purely domestic services via Intelsat facilities.

4. Accordingly, IT IS ORDERED that application File No. I-T-C-95-407 IS GRANTED and Comsat is authorized to establish channels of communication between MCI's Andover, Maine earth station and the National Weather Service Hurricane Center in Coral Gables, Florida, and NOAA's headquarters are in Silver Spring, Maryland as part of NOAA's international VSAT system.

5. IT IS FURTHER ORDERED that this authorization is limited to the provision of service between U.S. locations which is incidental to and part of primary international communications and that this requirement shall be reflected in COMSAT's tariff.

6. This order is issued pursuant to Section 0.261 of the Commission's rules and is effective upon adoption.

FEDERAL COMMUNICATIONS COMMISSION

Thomas Tycz
Chief, Satellite and Radiocommunication Division
International Bureau

¹ See Transborder Satellite Video Services, 88 F.C.C.2d 258 (1981).

² See COMSAT Corporation, 8 F.C.C. Rcd 5724 (1993).