



2012 ANNUAL REPORT

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June 29, 2012

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VIA HAND DELIVERY

FILED/ACCEPTED

JUN 29 2012

Federal Communications Commission
Office of the Secretary

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: Annual Report of Spectrum Five LLC
Call Signs: S2667 and S2668**

Dear Ms. Dortch:

Spectrum Five LLC, by counsel, submits the attached annual report, as provided in paragraph 46 of the *Order and Authorization of Spectrum Five LLC, Petition for Declaratory Ruling to Serve the U.S. Market Using Broadcast Satellite Spectrum from the 114.5° W.L. Orbital Location*.¹

Please contact this office if there are any questions.

Respectfully submitted,


Todd M. Stansbury
Counsel for Spectrum Five LLC

cc: Columbia Operations Center

¹ *Spectrum Five LLC, Petition for Declaratory Ruling to Serve the U.S. Market Using Broadcast Satellite Spectrum from the 114.5° W.L. Orbital Location*, Order and Authorization, 21 FCC Rcd 14,023 (2006).

Annual Report of Spectrum Five LLC

On November 29, 2006, the Commission granted Spectrum Five's Petition for Declaratory Ruling for authority to access the United States from direct broadcast satellites at the 114.5° W.L. orbital location.¹ That order requires Spectrum Five, every June 30, to submit annual progress reports that "illustrate the steps it has taken toward meeting its milestones,"² consistent with the reporting requirements of other satellite operators set forth in Section 25.210 of the Commission's rules.³ Spectrum Five hereby submits the required annual report with information current as of May 31, 2012.

Spectrum Five signed a construction contract on November 21, 2007 and submitted this contract to the FCC on November 28, 2007.⁴ On November 25, 2008, Spectrum Five notified the FCC that its space craft manufacturer had completed critical design review.⁵ On November 26, 2010, Spectrum Five filed a petition for declaratory ruling to extend until November 29, 2012, or to waive, the milestone for completion of construction of the first satellite.⁶ The

¹ *Spectrum Five LLC, Petition for Declaratory Ruling to Serve the U.S. Market Using Broad. Satellite Spectrum from the 114.5° W.L. Orbital Location*, Order and Authorization, 21 FCC Rcd 14,023 (2006).

² *Id.*

³ 47 C.F.R. § 25.210.

⁴ Letter from Todd M. Stansbury, Counsel to Spectrum Five LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, File Nos. SAT-LOI-20050312-00062 and SAT-LOI-20050312-00063, Call Signs S2667 and S2668 (filed Nov. 28, 2007).


⁵ Letter from Todd M. Stansbury, Counsel to Spectrum Five LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, File Nos. SAT-LOI-20050312-00062 and SAT-LOI-20050312-00063, Call Signs S2667 and S2668 (filed Nov. 25, 2008).

⁶ *Spectrum Five LLC, Petition for Declaratory Ruling To Modify Its Authorization to Serve the U.S. Market Using BSS Spectrum from the 114.5° W.L. Orbital Location*, File Nos. SAT-MOD-20101126-00245 and SAT-MOD-20101126-00269 (filed Nov. 26, 2010).

International Bureau (“Bureau”) has denied this petition and cancelled Spectrum Five’s authorization for the 114.5° W.L. orbital location.⁷ Spectrum Five has a pending petition for reconsideration of this decision, asking the Bureau to reconsider its decision and reinstate Spectrum Five’s market access authorization for the 114.5° W.L. orbital location.⁸

Respectfully submitted,

Spectrum Five LLC

By:  _____
David Wilson
President
SPECTRUM FIVE LLC

Date: June 29, 2012

⁷ *In the Matter of Spectrum Five LLC Petition for Declaratory Ruling to Extend or Waive Construction Milestone*, Memorandum Opinion and Order, DA 11-1252 (Int’l Bur., Jul. 26, 2011).

⁸ Petition for Reconsideration, File Nos. SAT-MOD-20101126-00245 and SAT-MOD-20101126-00269 (filed Aug. 25, 2011).