

Spectrum Five LLC
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ORIGINAL

2014 ANNUAL REPORT

June 30, 2014

VIA HAND DELIVERY

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

ACCEPTED/FILED

JUN 30 2014

Federal Communications Commission
Office of the Secretary

**Re: Annual Report of Spectrum Five, LLC
Call Signs: S2777, S2667, and S2668**

Pursuant to Section 25.210 of the Commission's Rules, Spectrum Five LLC ("Spectrum Five") submits this annual report with information current as of May 31, 2014.

On October 17, 2012, the Commission granted a Petition for Declaratory Ruling from Spectrum Five for access to the U.S. market using a geostationary satellite orbit space station in the 17/24 GHz Broadcast-Satellite Service (BSS) ("Reverse Band"), which will operate under the authority of the Netherlands at the 119.25° W.L. orbital location.¹ As required by its authorization, on November 16, 2012, Spectrum Five filed with the Commission a performance bond in the amount of \$3 million. On October 22, 2013, Spectrum Five submitted to the Commission a confidential, un-redacted copy of the satellite construction contract, entered into on October 16, 2013, between Spectrum Five and ASTRIUM SAS for the satellite at 119.25° W.L.² Spectrum Five is now working towards completion of critical design review for the satellite.

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

¹ *Spectrum Five LLC, Petition for Declaratory Ruling Regarding 17/24 GHz Broadcasting-Satellite Service to the U.S. Market from the 119.25° W.L. Orbital Location*, 27 FCC Rcd 13129 (I.B. 2012).

² Spectrum Five timely submitted the construction contract in conformity with DA 13-2025, which modified filing deadlines as a result of the government shutdown October 1-16, 2013. *Public Notice, Revised Filing Deadlines Following Resumption of Normal Commission Operations* (Oct. 17, 2013).

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114.5° W.L. orbital location.³ That order requires Spectrum Five, every June 30, to submit annual progress reports that “illustrate the steps it has taken toward meeting its milestones,”⁴ consistent with the reporting requirements of other satellite operators set forth in Section 25.210 of the Commission’s rules.⁵

Spectrum Five signed a construction contract on November 21, 2007 and submitted this contract to the FCC on November 28, 2007.⁶ On November 25, 2008, Spectrum Five notified the FCC that its space craft manufacturer had completed critical design review.⁷ 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.⁸ The International Bureau (“Bureau”) denied this petition and cancelled Spectrum Five’s authorization for the 114.5° W.L. orbital location.⁹ 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.¹⁰

³ *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*, 21 FCC Rcd 14,023 (2006).

⁴ *Id.*

⁵ 47 C.F.R. § 25.210.

⁶ 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).

⁷ 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).

⁸ 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).

⁹ *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).

¹⁰ Petition for Reconsideration, File Nos. SAT-MOD-20101126-00245 and SAT-MOD-20101126-00269 (filed Aug. 25, 2011).

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Secretary
June 30, 2014

Respectfully submitted,

Spectrum Five LLC

By: 

David Wilson
President
SPECTRUM FIVE LLC

cc: Columbia Operations Center