

January 13, 2004

*BY ELECTRONIC DELIVERY*

The Honorable Michael K. Powell  
Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: In the Matter of Mitigation of Orbital Debris  
Written Ex Parte Presentation, IB Docket No. 02-54**

Dear Chairman Powell:

In the above-referenced proceeding, the Commission is considering whether to require geostationary (“GSO”) satellites operating in the Mobile-Satellite Service (“MSS”) to maintain a longitudinal (East-West) station-keeping tolerance of +/- 0.05°. <sup>1</sup> PanAmSat Corporation, SES AMERICOM, Inc. and Intelsat, which operate GSO satellites in the fixed-satellite service (“FSS”), are writing to express their views on this issue.

In considering the appropriate station-keeping tolerance for MSS systems, it is important to note that in addition to operating in MSS frequency bands, MSS spacecraft frequently use FSS frequency bands for feeder links and for tracking, telemetry and control (“TT&C”) operations. The station-keeping tolerance requirement for spacecraft operating in FSS frequency bands is +/- 0.05°. <sup>2</sup>

The undersigned FSS companies believe that all spacecraft operating in the geostationary orbit using FSS frequency bands should be required to adhere to the same rules. We are concerned that if MSS satellites are allowed a larger station-keeping tolerance, their operations could cause operational restrictions and/or interference to adjacent or co-located FSS spacecraft operating with tighter station-keeping tolerance in the same frequency bands. Similarly, such MSS operators, in seeking protection from interference by adjacent FSS satellites, may

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<sup>1</sup> *Mitigation of Orbital Debris*, Notice of Proposed Rulemaking, IB Docket No. 02-54 (March 18, 2002) at ¶ 47.

<sup>2</sup> Section 25.210(j) of the Commission’s rules.

impose constraints on these FSS satellites that would not be necessary for protection of a network that complies with the FCC's rules for operating in FSS frequency bands. In either case, FSS providers could be disadvantaged.<sup>3</sup>

In a recent *ex parte* presentation in this proceeding, MSS operator Inmarsat Ltd. expressly acknowledged that future MSS systems could be designed to meet a +/- 0.05° station-keeping tolerance.<sup>4</sup> The undersigned FSS companies recognize, however, that MSS operators may have existing space stations designed to meet a +/- 0.1° station-keeping tolerance. If the Commission adopts a +/- 0.05° longitudinal station-keeping tolerance for MSS systems, the undersigned FSS companies would support grandfathering of certain MSS satellites. Specifically, we would favor the grandfathering of in-orbit MSS spacecraft as well as MSS

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<sup>3</sup> In opposing application of a +/- 0.05° station-keeping tolerance to MSS systems, The Boeing Company has cited to the Commission's decision in 2002 to apply a +/- 0.1° station-keeping tolerance to DBS systems. See Letter of Bruce Olcott to Marlene H. Dortch dated Dec. 23, 2003, IB Dkt No. 02-54 at 4-5 & n.10. Boeing argues that the same result reached in the DBS area is appropriate for MSS systems. However, there is an important difference between MSS and DBS operations. DBS feeder link bands, although they may be treated as FSS frequencies for certain purposes, are available for GSO use only by DBS systems – they are not shared with GSO/FSS systems. As a result, there is no risk that DBS feeder links will interfere with GSO/FSS operations. Furthermore, as a practical matter, DBS systems have typically maintained a +/- 0.05° station-keeping tolerance, and even applications filed after the Commission's decision on DBS station-keeping propose to operate their systems with a station-keeping tolerance of +/- 0.05°. See, e.g., Application of EchoStar Satellite Corp., File No. SAT-LOA-20020329-00042, App. 1 to Technical Annex filed Apr. 30, 2002 at 1; Application of EchoStar Satellite Corp., File No. SAT-LOA-20030606-00107, Exhibit A of Technical Annex at 1; Application of DIRECTV Enterprises, LLC, File No. SAT-LOA-20030611-00115, App.1 to Technical Annex at 5.

<sup>4</sup> See Presentation of Inmarsat Ltd. on Orbital Debris at 10, attached to letter of Alexander D. Hoehn-Saric to Marlene H. Dortch dated Dec. 23, 2003 in IB Dkt. No. 02-54.

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spacecraft now being constructed that are currently scheduled for launch within the next eighteen months, and are designed to operate with a +/- 0.1° station-keeping tolerance, provided that these MSS spacecraft are successfully coordinated with adjacent FCC satellites using the same frequencies.

Thank you for your attention to this matter. Please let us know if you have any questions.

Respectfully submitted,

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