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June 20, 2007

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: IB Docket No. 06-123  
*Ex Parte*

Dear Ms. Dortch:

This is to inform you that, on June 19, 2007, Robert Power, John Forsey, and Elizabeth Neasmith of Telesat Canada, and Joseph Godles, Thomas Tycz, and the undersigned met with Helen Domenici, Chief, International Bureau, and Rod Porter, Gardner Foster, Robert Nelson, Cassandra Thomas, Karl Kensinger, Chip Fleming, and Louise Klees-Wallace, also of the International Bureau. The purpose of the meeting was to provide and discuss the attached handout dealing directly with the above referenced proceeding.

Please direct any questions regarding this matter to the undersigned.

Respectfully,



Henry Goldberg  
Joseph A. Godles  
*Attorney for Telesat Canada*

cc: Helen Domenici  
Rod Porter  
Gardner Foster  
Robert Nelson  
Cassandra Thomas  
Karl Kensinger  
Chip Fleming  
Louise Klees-Wallace



# 17 GHz RBSS R&O/FNPRM Issues for Clarification

**Presentation to FCC  
June 19, 2007**

# Update

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- DTV-1, DTV-1R STAs
- Anik F3 recently launched (on FCC Permitted List)
- Nimiq 4 (82 W) and Nimiq 5 (72.7 W) under construction (Canadian DBS satellites)
- Telesat was awarded five new licenses by Industry Canada on June 13, 2007

# Background

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- On June 13, 2007 Industry Canada awarded Telesat four licenses in the 17 GHz RBSS band:
  - 72.5 W
  - 82 W
  - 86.5 W
  - 118.7W
- Telesat's proposals are for satellites with full U.S. and Canada coverage

# Orbital Spacing



- R&O established a 4° spacing grid (App. F), which provides a framework for applicants to follow
- Applicants using an orbital position offset from the grid will need to demonstrate
  - that they will not cause more interference to adjacent operators than if they were on the grid
  - That they will accept interference from those neighbors (¶74)

# Orbital Spacing (cont'd)



- The following table shows the Telesat positions relative to the grid in Appendix F. The spacings are sufficiently small that co-coverage operations for DTH will not be practical

<u>CAN Filing (°W)</u>	<u>App.F Grid (°W)</u>	<u>Spacing (°)</u>
72.5	71	1.5
72.5	75	2.5
82	79	3
82	83	1
86.5	83	3.5
86.5	87	0.5
118.7	115	3.7
118.7	119	0.3

## Orbital Spacing (cont'd)



- If the spacing grid requirements were applied to non-U.S. licensees seeking entry to the U.S. market, there could be a conflict between U.S. procedures and ITU procedures
- ITU Radio Regulations already provide coordination procedures for determining operating characteristics of adjacent satellites, which all operators will have to adhere to
- One of Telesat's concerns is that U.S. applicants for slots with later ITU priority could use R&O rules to argue that U.S. market access be denied for non-U.S. licensed operators
- The other concern relates to all operators; additional constraints to protect non-existent grid satellites may compromise real satellite operations

# Summary

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To avoid conflicts between U.S. procedures and ITU procedures, the Bureau should clarify that:

- The 4° spacing grid requirements apply only to applicants for U.S. licenses
- All licensees will be required to complete coordination in accordance with the ITU Radio Regulations
- Market access for non-U.S. satellites which are coordinated will be in accordance with DISCO II rules