

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
The Establishment of Policies and)	
Service Rules for the Broadcasting-Satellite)	
Service at the 17.3-17.7 GHz Frequency)	
Band and at the 17.7-17.8 GHz Frequency)	IB Docket No. 06-123
Band Internationally, and at the 24.75-25.25)	
GHz Frequency Band for Fixed Satellite)	
Services Providing Feeder Links to the)	
Broadcasting-Satellite Service and for the)	
Satellite Services Operating Bi-directionally)	
In the 17.3-17.8 GHz Frequency Band)	

OPPOSITION OF INTELSAT

Intelsat North America LLC (“Intelsat”), by its attorneys, hereby comments on Telesat Canada’s (“Telesat”) petition for reconsideration (“Petition”) of the Commission’s Order on Reconsideration in the above referenced proceeding.¹ Intelsat has four applications currently pending before the Commission for 17/24 GHz BSS licenses.² For the reasons set forth below, Intelsat believes that the conditions sought by Telesat in its Petition are unwarranted or unnecessary and, as such, the Petition should be denied.

¹ Petition for Reconsideration of Telesat Canada, IB Docket No. 06-123 (filed Nov. 21, 2007) (“Petition”).

² See pending applications of Intelsat North America LLC: SAT-AMD-20080114-00008 (Galaxy BSS-1); SAT-AMD-20080114-00009 (Galaxy BSS-2); SAT-AMD-20080114-00012 (Galaxy BSS-3); and SAT-AMD-20080114-00011 (Galaxy BSS-4).

I. TELESAT’S PROPOSED MANDATORY RELOCATION CONDITION IS PREMATURE AND UNNECESSARILY LIMITS THE OUTCOME OF ANY POSSIBLE ITU COORDINATION PROCESS

In its Petition, Telesat asks that the Commission condition any 17/24 GHz BSS license by “making the orbital location specified in the grant subject to modification to an off-grid location if necessary to facilitate coordination with a satellite operator having ITU date priority.”³ Although the true meaning of this condition is hard to discern as written, Telesat’s proposed condition suggests that a U.S. licensee should be required to relocate to a different location to facilitate future coordination. However, coordination may be accomplished in a variety of ways and modification of an orbital location and the disruption of the U.S. 17/24 GHz BSS grid should be at most a last resort.

Modification of a location of a U.S. 17/24 GHz BSS licensee must also take into account the effect on other U.S. licensees. A U.S. 17/24 GHz BSS licensee should not be allowed to change its orbital location to the detriment of another U.S. licensee or applicant in the licensing queue at the time the request for modification is submitted. If a 17/24 GHz BSS licensee were willing to operate at reduced power, and potentially receive increased interference from adjacent U.S. licensees, were it to move from its original location to facilitate coordination, it should be allowed to do so. However, no U.S. licensee should be allowed to modify its orbital location and require that its operations be entitled to the same level of protection from current licensees and current or future applicants that comply with the 17/24 GHz BSS rules as that U.S. licensee enjoyed before modifying its location. To allow otherwise would vitiate the purpose of the grid and the associated 17/24 GHz BSS rules.

³ Petition at 5.

II. TELESAT'S FIRST REQUESTED CONDITION IS ALSO UNNECESSARY

In its Petition, Telesat asks that the Commission condition any 17/24 GHz BSS license by making the grant “subject to the licensee coordinating with satellite operators having ITU date priority.”⁴ Such a condition is unnecessary because the Commission’s rules already require U.S. licensees to conduct such coordination.⁵ Nevertheless, the FCC often explicitly includes this requirement in the conditions associated with the grant of a space station authorization, and might similarly do so with the 17/24 GHz BSS licenses. Should the Commission include such a requirement in 17/24 GHz BSS licenses, it should clarify that the results of coordination have not been prejudged.

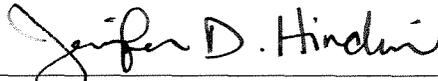
⁴ Petition at 5.

⁵ *See* § 25.111(b) (“Applicants, permittees and licensees of radio stations governed by this part shall provide the Commission with all information it requires for the Advance Publication, Coordination and Notification of frequency assignments’ pursuant to the international Radio Regulations. No protection from interference caused by radio stations authorized by other Administrations is guaranteed unless coordination procedures are timely completed or, with respect to individual administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments with other Administrations.”).

III. CONCLUSION

For the reasons set forth above, Intelsat respectfully requests that the Commission deny Telesat's Petition.

Respectfully submitted,
INTELSAT NORTH AMERICA LLC

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Certificate of Service

I, Kim Riddick, do hereby certify that on February 11, 2008, I served a copy of the attached Opposition of Intelsat upon the following by first-class, postage paid U.S. mail.

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Kim Riddick