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File Number: SES-MFS-20230517-01014

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD – MAIN FORM FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Modification of E920698 license

1-8. Legal Name of Applicant			
Name:	SES Americom, Inc.	Phone Number:	202-478-7191
DBA Name:		Fax Number:	202-478-7111
Street:	1129 20th Street NW Suite 1000	E-Mail:	kelsie.rutherford@ses.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 –
Attention:	Ms. Kelsie Rutherford		

9-16. Name of Contact Representative

Name:	Kelsie Rutherford	Phone Number:	202-478-7190
Company:	SES Americom, Inc.	Fax Number:	
Street:	1129 20th Street NW Suite 1000	E-Mail:	kelsie.rutherford@ses.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036-
Attention:		Relationship:	

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- ☒ a1. Earth Station
- ☐ a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- ☐ b3. Amendment to a Pending Application
- ☒ b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- ☐ b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- ☐ b13. Amendment to a Pending Database Entry Application
- ☐ b14. Modification of Database Entry

17c. Is a fee submitted with this application? ☒ If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). ☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other (please explain):	
17d. Fee Classification	
18. If this filing is in reference to an existing station, enter: (a) Call sign of station: E920698	19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number: (a) Date pending application was filed: (b) File number: SESMFS2019120801643

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply: ☒ a. Fixed Satellite ☐ b. Mobile Satellite ☐ c. Radiodetermination Satellite ☐ d. Earth Exploration Satellite ☐ e. Direct to Home Fixed Satellite ☐ f. Digital Audio Radio Service ☐ g. Other (please specify)		
21. STATUS: Choose the button next to the applicable status. Choose only one. ☐ Common Carrier ☒ Non-Common Carrier	22. If earth station applicant, check all that apply. ☐ Using U.S. licensed satellites ☒ Using Non-U.S. licensed satellites	
23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities: ☐ Connected to a Public Switched Network ☐ Not connected to a Public Switched Network ☒ N/A		
24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s). ☐ a. C-Band (4/6 GHz) ☒ b. Ku-Band (12/14 GHz) ☐ c. Other (Please specify upper and lower frequencies in MHz.) Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)		

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- ☒ a. Fixed Earth Station
- ☐ b. Temporary–Fixed Earth Station
- ☐ c. 12/14 GHz VSAT Network
- ☐ d. Mobile Earth Station
- ☐ e. Geostationary Space Station
- ☐ f. Non–Geostationary Space Station
- ☐ g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY:

- ☒ Transmit/Receive ☐ Transmit–Only ☐ Receive–Only ☐ N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- ☐ a -- authorization to add new emission designator and related service
- ☐ b -- authorization to change emission designator and related service
- ☐ c -- authorization to increase EIRP and EIRP density
- ☐ d -- authorization to replace antenna
- ☐ e -- authorization to add antenna
- ☐ f -- authorization to relocate fixed station
- ☐ g -- authorization to change frequency(ies)
- ☒ h -- authorization to add frequency
- ☒ i -- authorization to add Points of Communication (satellites & countries)
- ☒ j -- authorization to change Points of Communication (satellites & countries)
- ☐ k -- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- ☐ l -- authorization to change orbit location
- ☐ m -- authorization to perform fleet management
- ☐ n -- authorization to extend milestones
- ☐ o -- Other (Please specify)

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

☐ Yes ☒ No

ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?

☐ Yes ☒ No

30. Is the applicant an alien or the representative of an alien?

☐ Yes ☐ No ☒ N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

☐ Yes ☐ No ☒ N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

☐ Yes ☐ No ☒ N/A

33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

☐ Yes ☐ No ☒ N/A

34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

☒ Yes ☐ No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

☐ Yes ☒ No

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.	☐ Yes ☒ No
38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances	☐ Yes ☒ No
39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.	☐ Yes ☒ No
40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.	

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.

☒ Yes ☐ No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.

☒ Yes ☐ No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?Luxembourg

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

SES Americom, Inc. respectfully requests a modification of its E920698 earth station license to add the Luxembourg-authorized ASTRA 2C spacecraft as a point of communications for the purposes of providing Tracking, Telemetry and Command for the spacecraft at its current position at 72.5 W.L.; add the 10.95-11.2 GHz downlink band to the E920698

Narrative

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

☒ A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

☐ B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

☐ C

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- ☐ Individual
- ☐ Unincorporated Association
- ☐ Partnership
- ☒ Corporation
- ☐ Governmental Entity
- ☐ Other (please specify)

45. Name of Person Signing
Kelsie Rutherford

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46. Title of Person Signing
Regulatory Counsel

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

SATELLITE EARTH STATION AUTHORIZATIONS
FCC Form 312 – Schedule B:(Technical and Operational Description)
FOR OFFICIAL USE ONLY

Location of Earth Station Site

E1. Site Identifier:	1	E5. Call Sign:	E920698
E2. Contact Name	NOC	E6. Phone Number:	609-987-4283
E3. Street:	2823 Grimville Rd	E7. City:	Woodbine
		E8. County:	Carroll
E4. State	MD	E9. Zip Code	21771
E10. Area of Operation:	ALSAT		
E11. Latitude:	39 °22 '33.0 "N		
E12. Longitude:	77 °4 '54.0 "W		
E13. Lat/Lon Coordinates are:	☐ NAD-27	☒ NAD-83	☐ N/A
E14. Site Elevation (AMSL):	175.3 meters		

E15. If the proposed antenna(s) operate in the Fixed Satellite Service (FSS) with geostationary satellites, do(es) the proposed antenna(s) comply with the antenna gain patterns specified in Section 25.209(a) and (b) as demonstrated by the manufacturer's qualification measurement? If NO, provide as a technical analysis showing compliance with two-degree spacing policy.

☒ Yes ☐ No ☐ N/A

E16. If the proposed antenna(s) do not operate in the Fixed Satellite Service (FSS), or if they operate in the Fixed Satellite Service (FSS) with non-geostationary satellites, do(es) the proposed antenna(s) comply with the antenna gain patterns specified in Section 25.209(a2) and (b) as demonstrated by the manufacturer's qualification measurements?	☐ Yes ☐ No ☒ N/A
E17. Is the facility operated by remote control? If YES, provide the location and telephone number of the control point.	☐ Yes ☒ No

E18. Is frequency coordination required? If YES, attach a frequency coordination report as	☒ Yes ☐ No
E19. Is coordination with another country required? If YES, attach the name of the country(ies) and plot of coordination contours as	☐ Yes ☒ No
E20. FAA Notification – (See 47 CFR Part 17 and 47 CFR part 25.113(c)) Where FAA notification is required, have you attached a copy of a completed FCC Form 854 and/or the FAA's study regarding the potential hazard of the structure to aviation? FAILURE TO COMPLY WITH 47 CFR PARTS 17 AND 25 WILL RESULT IN THE RETURN OF THIS APPLICATION.	☐ Yes ☒ No

POINTS OF COMMUNICATION

Satellite Name: ASTRA 2C ASTRA 2C 72.5 W.L. If you selected OTHER, please enter the following:	
E21. Common Name:	E22. ITU Name:
E23. Orbit Location:	E24. Country:

Satellite Name: PERMITTED LIST If you selected OTHER, please enter the following:
--

E21. Common Name:	E22. ITU Name:
E23. Orbit Location:	E24. Country:

Satellite Name: PERMITTED LIST If you selected OTHER, please enter the following:	
E21. Common Name:	E22. ITU Name:
E23. Orbit Location:	E24. Country:

POINTS OF COMMUNICATION (Destination Points)

E25. Site Identifier:	
E26. Common Name:	E27. Country:

ANTENNA

Site ID	E28. Antenna Id	E29. Quantity	E30. Manufacturer	E31. Model	E32. Antenna Size<meters>	E41/42. Antenna Gain Transmint and/or Recieve (____dBi at ____GHz)	
1	1	1	STI	9200K	9.2	58.4 dBi at 11.0	
1	1	1	STI	9200K	9.2	60.05 dBi at 13.775	

E28. Antenna Id	E33/34. Diameter Minor/Major (meters)	E35. Above Ground Level (meters)	E36. Above Sea Level(meters)	E37. Building Height Above Ground Level (meters)	E38. Total Input Power at antenna flange (Watts)	E39. Maximum Antenna Height Above Rooftop (meters)	E40. Total EIRP for al carriers(dBW)
1	0.0/0.0	25.9	201.2	0.0	1029.0	0.0	90.3

FREQUENCY

E28. Antenna Id	E43/44. Frequency Bands (MHz)	E45. T/R Mode	E46. Antenna Polarization(H,V, L,R)	E47. Emission Designator	E48. Maximum EIRP per Carrier (dBW)	E49. Maximum ERIP Density per Carrier (dBW/4kHz)
1	13750 13772	T	Linear and Circular	800KF9D	78.5	55.5
E50. Modulation and Services (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) TT&C						
1	13772 13778	T	Linear and Circular	800KF9D	71.0	28.4
E50. Modulation and Services (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) TT&C						
1	13778 14000	T	Linear and Circular	800KF9D	78.5	55.5

E50. Modulation and Services (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)						
TT&C						
1	10950 11200	R	Linear and Circular	800KF9D	0.0	0.0
E50. Modulation and Services (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)						
Telemetry						

FREQUENCY COORDINATION

E28. Antenna Id	E51. Satellite Orbit Type	E52/53. Frequency Limits(MHz)	E54/55. Range of Satellite Arc Eastern/West ern Limit	E56. Earth Station Azimuth Angle Eastern Limit	E57. Antenna Elevation Angle Eastern Limit	E58. Earth Station Azimuth Angle Western Limit	E59. Antenna Elevation Angle Western Limit	E60. Maximum EIRP Density toward the Horizon (dBW/4kHz)
1	Geostationary	10950 11200	55.0/145.0	147.5	39.0	255.5	8.3	0.0

REMOTE CONTROL POINT LOCATION

E61. Call Sign NOTE: Please enter the callsign of the controlling station, not the callsign for which this application is being filed.		E66. Phone Number	
E62. Street Address			
E63. City	E68. County	E67/68. State/Country /	E64. Zip Code

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

43. Description. (Summarize the nature of the application and the services to be provided).

SES Americom, Inc. respectfully requests a modification of its E920698 earth station license to add the Luxembourg-authorized ASTRA 2C spacecraft as a point of communications for the purposes of providing Tracking, Telemetry and Command for the spacecraft at its current position at 72.5 W.L.; add the 10.95–11.2 GHz downlink band to the E920698 license; and remove the ASTRA 3A spacecraft as a point of communication.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of Application by	)	
	)	
SES AMERICOM, INC.	)	Call Sign E920698
	)	
To Modify its Earth Station License to	)	
Perform TT&C for ASTRA 2C	)	

MODIFICATION

By this application, SES Americom, Inc. (“SES”) respectfully requests a modification of its E920698 earth station license.¹ Specifically, SES seeks authority to (1) add the Luxembourg-authorized ASTRA 2C spacecraft as a point of communications for the purposes of providing Tracking, Telemetry and Command (“TT&C”) for the spacecraft at its current position at 72.5°W.L.²; (2) add the 10.95-11.2 GHz downlink bands to the E920698 license; and (3) remove the ASTRA 3A spacecraft as a point of communication.

SES’s affiliate, SES ASTRA S.A. (“ASTRA”), holds an authorization from the Luxembourg Ministry of State, Office of Media and Communications³ for the ASTRA 2C spacecraft. ASTRA has requested that SES assist with providing TT&C for ASTRA 2C at 72.5° W.L. ASTRA 2C is operating in inclined orbit.

¹ SES Americom, Inc., Call Sign E920698, File No. SES-MFS-20191208-01643.

² The ASTRA 2C TT&C frequencies are as follows:

Telecommand:	13754.5 MHz (bicone) horizontal polarization
	13996.5 MHz (pipe) circular polarization
Telemetry:	10951.5 MHz (pipe) circular polarization / (bicone) vertical polarization
	11197.0 MHz (pipe) circular polarization

In compliance with Section 25.202(g)(1) of the Commission’s rules, the proposed TT&C operations will cause no greater interference and require no greater protection from harmful interference than would communications traffic in these bands.

³ Ministère d’État, Service des Médias et des Communications of the Grand Duchy of Luxembourg.

SES is not requesting U.S. market access or any other authorization from the Commission relating to the non-U.S.-licensed ASTRA 2C spacecraft, and therefore is not providing full technical information about the ASTRA 2C spacecraft as part of this application.⁴ Changes to the E920698 license needed to accommodate the ASTRA 2C TT&C operations are provided in the Form 312 Schedule B filed with this application. An orbital debris mitigation statement for ASTRA 2C is already on file with the Commission.⁵ As discussed below, communications with ASTRA 2C will not adversely affect the operation of any adjacent spacecrafts.

Grant of this Application Will Serve the Public Interest. Grant of this request is in the public interest as the requested TT&C authority will facilitate the safe operation of ASTRA 2C at 72.5° W.L. ASTRA's ASTRA 2C spacecraft at 72.5° W.L. will not create interference to other spacecraft.⁶

Extended Ku-band Authority – SES requests authority to add the 10.95-11.2 GHz downlink band to the E920698 earth station license. Comsearch is preparing a frequency coordination notice on behalf of SES to submit to all existing terrestrial licensees in the 10.95-11.2 GHz frequencies within the coordination contours of the E920698 antenna. Once the final report is issued, SES will file the report as a supplement to this application.

Co-primary Federal Government Radiolocation services operate in the 13.75-14.0 GHz band. Comsearch is preparing a 13 GHz Study on behalf of SES to address interference concerns with these Radiolocation services. Once the 13 GHz Study is complete, SES will file it as a supplement to this application. In addition, SES acknowledges that it will need to

⁴ See Waiver Request, *infra*.

⁵ See SES Americom, Inc., Call Sign E110104, File No. SES-MFS-20210308-00443, Attachment 1.

⁶ Neither the Canadian-licensed Nimiq 5 spacecraft at 72.7° W.L. nor SES's AMC-3 spacecraft at 72° W.L. has any frequency overlap with ASTRA 2C.

coordinate the earth station's use of the 13.75-13.8 GHz band with NTIA on a case-by-case basis in order to minimize harmful interference to the Tracking and Data Relay Satellite System's (TDRSS) forward space-to-space link.⁷

Waiver Requests. SES requests limited waivers of the Commission's requirements in connection with the instant request. Grant of these waivers is consistent with Commission policy:

The Commission may waive a rule for good cause shown. Waiver is appropriate if special circumstances warrant a deviation from the general rule and such deviation would better serve the public interest than would strict adherence to the general rule. Generally, the Commission may grant a waiver of its rules in a particular case if the relief requested would not undermine the policy objective of the rule in question and would otherwise serve the public interest.⁸

Sections 25.137 and 25.114. SES requests a waiver of Section 25.137 and the other Commission rules cross-referenced therein. SES seeks authority in connection with providing TT&C for ASTRA 2C, a foreign-licensed spacecraft. Section 25.137 requires that applicants proposing to use U.S.-licensed earth stations to communicate with foreign-licensed spacecraft demonstrate that the Commission's policies for U.S. market access are satisfied. Section 25.137 also incorporates by reference other requirements for Commission-licensed space stations, including the obligation to file detailed technical information as specified in Section 25.114.

Waiving Section 25.137 is consistent with the purpose of the rule, which was intended to address situations in which a non-U.S.-licensed spacecraft is to be used to serve the United States. Here, the E920698 earth station will be used solely for TT&C, not for commercial

⁷ 47 C.F.R. § 2.106 US337.

⁸ *PanAmSat Licensee Corp.*, 17 FCC Rcd 10483, 10492 (Sat. Div. 2002) (footnotes omitted).

operations. Thus, SES is not seeking authority to communicate with ASTRA 2C for purposes of providing U.S. service within the meaning of Section 25.137.

To the extent the Commission disagrees, SES requests a waiver of the market access and other requirements imposed in Section 25.137. Grant of a waiver will not undermine the objectives of these requirements. The market access test described in the rule is intended to ensure that U.S.-licensed systems have “effective competitive opportunities.”⁹ Because SES is not seeking authority to provide commercial services in the United States, the requested modification does not raise any concerns about competitive equality.¹⁰

Strict adherence with Section 25.114’s requirements for detailed technical information is also unnecessary and would be unduly burdensome. SES is proposing to use the E920698 earth station only for the limited purpose of performing TT&C for ASTRA 2C at 72.5° W.L. The relevant technical characteristics of those transmissions are provided in this application. In these circumstances, no valid purpose would be served by requiring a complete description of the ASTRA 2C spacecraft.

SES’s request is consistent with Commission precedent. In similar cases in which limited communications by U.S. earth stations with a foreign-licensed spacecraft were proposed, the Commission has granted operational authority without requiring a market access showing under Section 25.137 or full technical data as required by Section 25.114.¹¹

⁹ 47 C.F.R. § 25.137(a).

¹⁰ In any event, the ASTRA 2C spacecraft at 72.5° W.L. will be operating under the authority of Luxembourg, a World Trade Organization member country, and therefore is exempt from the requirement to make a showing of effective competitive opportunities. 47 C.F.R. § 25.137(a)(2).

¹¹ See, e.g., Hawaii Pacific Teleport, L.P., File No. SES-STA-20131030-00914 (Call Sign E030115), granted Nov. 18, 2013 (granting authority for earth station to provide TT&C services to ASTRA 3A operating at 176.85° W.L.); PanAmSat Licensee Corp., File Nos. SES-STA20090922-01211 (Call Sign E4132) & SES-STA-20090922-01212 (Call Sign E040125), both grant-stamped Oct. 16, 2009 (granting authority for earth stations to communicate with foreign-licensed NSS-12 spacecraft for purposes of providing launch and early operations services).

Section 25.210(j). The ASTRA 2C spacecraft is authorized by the Luxembourg Government to operate at 72.5° W.L. within a +/- 0.1 degrees east/west station keeping box. To the extent necessary, SES respectfully requests a waiver of Section 25.210(j) of the Commission's rules, which requires geostationary space stations to be operated within a +/- 0.05 degrees east/west station keeping box. The Commission has previously waived this rule based on a finding that allowing an increased station keeping volume would "not adversely affect the operations of other spacecraft, and would conserve fuel for future operations."¹²

The facts here fit squarely within this precedent. Allowing ASTRA 2C to be maintained within an increased station keeping volume will not harm other operators. ASTRA 2C's station keeping volume will not overlap with that of any other spacecrafts. In addition, allowing ASTRA 2C to be flown at 72.5° W.L. in an expanded east-west station keeping volume of +/-0.1 degrees will result in fuel savings for the spacecraft. This will prolong the time during which ASTRA 2C will be available to provide service. Under these circumstances, grant of any necessary waiver of Section 25.210(j) will serve the public interest.

SES hereby certifies that no party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

¹² See, e.g., *SES Americom, Inc.*, File Nos. SAT-MOD-20080124-00030 & SAT-AMD-20080311-00070, grant-stamped May 19, 2008, Attachment at ¶ 1.

For the foregoing reasons, SES respectfully requests a modification of the E920698 earth station license to communicate with ASTRA 2C in order to provide TT&C for the spacecraft at 72.5° W.L. using additional extended Ku-band downlink frequencies.

Respectfully submitted,

SES AMERICOM, INC.

By: /s/ Kelsie Rutherford

Regulatory Counsel

SES Americom, Inc.

1129 20th Street NW, Suite 1000

Washington, DC 20036

Tel: (202) 478-7191

Dated: May 10, 2023



May 25, 2023

By IBFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Re: SES Americom, Inc. Application to Modify E920698, File No. SES-MFS-20230517-01014

Dear Ms. Dortch:

SES Americom, Inc. ("SES") pursuant to Section 1.65 of the Commission's rules, hereby updates the record regarding the above referenced application. SES updates its application to update the following technical parameters:

Frequency Bands (MHz)	Emission Designator	Maximum EIRP Per Carrier	Maximum EIRP Density per Carrier
13750-13772	800KF9D	85	62
13778-14000	800KF9D	85	62

The other technical parameters provided in the application are unchanged.

SES respectfully requests that the Commission update its files regarding the above referenced earth station application to reflect these revised emission designators.

Respectfully submitted,
SES AMERICOM, INC.

By: /s/ Kelsie Rutherford

Kelsie Rutherford
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