



File # SAT-RPL-20040630-00127

with attached conditions

Call Sign S2632 Grant Date Nov 4, 2004

(or other identifier)

Term Dates

Approved by OMB

3060-0678

From see conditions To: see conditions

Approved: [Signature] *Chief Satellite*
Robert G. Nelson Engineering Branch

Date & Time Filed: Jun 30 2004 9:53:55:993PM
File Number: SAT-RPL-20040630-00127
Callsign/Satellite ID: S2632

APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS
FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

FCC Use Only

APPLICANT INFORMATION

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

DTV-8 DBS at 101 WL

1-8. Legal Name of Applicant

Name:	DIRECTV Enterprises, LLC	Phone Number:	310-726-4993
DBA Name:		Fax Number:	310-535-5323
Street:	2230 E. Imperial Hwy	E-Mail:	dapattillo@directv.com
City:	El Segundo	State:	CA
Country:	USA	Zipcode:	90245 -
Attention:	David A. Pattillo		

Attachment
Conditions of Authorization
November 4, 2004

1. DIRECTV Enterprises, LLC's ("DIRECTV") application, File No. SAT-RPL-20040630-00127, Call Sign S2632, IS GRANTED.¹ DIRECTV is authorized to construct, launch and operate its DIRECTV 8 direct broadcast satellite ("DBS") (USABSS-19) space station, transmitting and receiving on the 16 odd-numbered channels between 1 and 31 inclusive in the 12.2-12.7 GHz (space-to-Earth) and 17.3-17.8 GHz (Earth-to-space) frequency bands at the 100.85° W.L. orbit location, with ±0.05° longitudinal stationkeeping, in accordance with the terms, representations, and technical specifications set forth in its application, this Attachment, and the Federal Communications Commission's ("Commission") Rules.

2. Pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, DIRECTV IS GRANTED a waiver of Section 25.202(g) of the Commission's rules, 47 C.F.R. § 25.202(g), to use the 14002-14004 MHz and 14496-14498 MHz bands for telecommand operations during transfer orbit for no longer than a 15-day period from the time that DIRECTV 8 is launched until it is established in a geostationary satellite orbit. Grant of this waiver is consistent with previous Commission actions.²

3. DIRECTV shall coordinate the frequency and power usage with all existing satellites in orbit, which use frequencies in the 14002-14004 MHz and 14496-14498 MHz bands, and which could be adversely affected by the TT&C operations of this space station.

4. DIRECTV shall perform no commercial operations of the DIRECTV 8 DBS space station until DIRECTV 8 is established in a geostationary satellite orbit at the 100.85° W.L. orbital location.

5. DIRECTV shall coordinate all transfer orbit Telemetry, Tracking, and Control operations with other potentially affected in-orbit DBS or Fixed- Satellite Service operators.

6. DIRECTV shall provide the Commission with all information it requires in order to modify the Appendix 30 Broadcasting-Satellite Service Plans and associated Appendix 30A feeder-link Plans to incorporate the characteristics of USABSS-19, in accordance with the ITU Radio Regulations. DIRECTV shall be held responsible for all cost recovery fees associated with these ITU filings. We also note that no protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification 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 and/or for which the necessary agreements under Appendices 30 and 30A have not been obtained may be subject to additional terms and conditions as required to effect coordination or obtain the agreement of other Administrations. *See* 47 C.F.R. § 25.111(c).

¹ DIRECTV 8 will be a hybrid satellite, combining DBS and Ka-band payloads. *See* DIRECTV Enterprises LLC, Application to Launch and Operate the DIRECTV 8 satellite, File No. SAT-MOD-20040630-00128, Call Sign S2132, granted November 4, 2004.

² *See* In the Matter of DIRECTV Enterprises, LLC Application for Authority to Launch and Operate DIRECTV 7S (USABSS-18), *Order and Authorization*, 19 FCC Rcd 7754 (2004).

7. The license term for the DIRECTV 8 DBS space station, Call Sign S2632, is ten years and will begin to run on the date that DIRECTV certifies to the Commission that the space station has been successfully placed into orbit and its operation fully conforms to the terms and conditions of this authorization.

8. This authorization does not in any way constitute an approval of DIRECTV's post-mission disposal plans for the DIRECTV 8 DBS space station.

9. DIRECTV must provide a written statement to the Commission within 60 days of the date of this authorization that identifies any known satellites located at, or planned to be located at, DIRECTV's assigned orbital location for DIRECTV 8, or assigned in the vicinity of that location such that the station-keeping volume of the respective satellites might overlap, and that states the measures that will be taken to prevent in-orbit collisions with such satellites. This statement should address any licensed Commission systems, or any systems applied for and under consideration by the Commission. The statement need not address every filing with the ITU that meets these criteria, but should assess and address any systems reflected in ITU filings that are in operation or that DIRECTV believes may be progressing toward launch, *e.g.* by the appearance of the system on a launch vehicle manifest. If DIRECTV elects to rely on coordination with other operators to prevent in-orbit collisions, it shall provide a statement as to the manner in which such coordination will be effected.

10. DIRECTV is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

11. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.

9-16. Name of Contact Representative (If other than applicant)

Name:	William M. Wiltshire	Phone Number:	202-730-1350
Company:	Harris Wiltshire & Grannis, LLP	Fax Number:	202-730-1301
Street:	1200 Eighteenth Street, NW	E-Mail:	
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -
Contact Title:		Relationship:	Legal Counsel

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.

a.

- (N/A) a1. Earth Station
 a2. Space Station

b.

- b1. Application for License of New Station
(N/A) b2. Application for Registration of New Domestic Receive-Only Station
(N/A) b3. Amendment to a Pending Application
(N/A) b4. Modification of License or Registration
(N/A) b5. Assignment of License or Registration
(N/A) b6. Transfer of Control of License or Registration
(N/A) b7. Notification of Minor Modification
(N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
 b10. Replacement Satellite Application - no new frequency bands
 b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)
 b12. Petition for Declaratory Ruling to be Added to the Permitted List
(N/A) b13. Other (Please specify)

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) Direct Broadcast Satellite

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.
Not Applicable

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: 12200

Frequency Upper: 17800

(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.

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

26. TYPE OF EARTH STATION FACILITY: Not Applicable

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

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.

<p>29. Is the applicant a foreign government or the representative of any foreign government?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>30. Is the applicant an alien or the representative of an alien?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>31. Is the applicant a corporation organized under the laws of any foreign government?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>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?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>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?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A</p>
<p>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. Exhibit A</p>	

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

Exhibit C

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. Exhibit B

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?

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.)

DirectTV Enterprises, LLC seeks to authorize operation of DIRECTV 8, which will replace DIRECTV2 at 101 WL, to (1) provide much-needed in-orbit redundancy for DIRECTV; and (2) provide improved coverage of Alaska and Hawaii. See Exhibit D.

Exhibit D

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) Limited Liability Corporation

45. Name of Person Signing
Romulo Pontual

46. Title of Person Signing
Executive Vice President

47. Please supply any need attachments.

1:

2:

3:

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).

Completed Schedule S

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