

**PUBLIC CONSULTATION  
PUBLIC NOTIFICATION**

**Proposed Telecommunications Installation  
Northern Americas Satellite Ventures, Inc.  
541 Kenmount Rd, St. John's, NL**

**September 14, 2021**

## 1. Introduction

Northern Americas Satellite Ventures, Inc. (NASV) is proposing to build a new satellite earth station antenna (the “**NASV Earth Station**”) at Rogers Communications Inc.’s (Rogers) facility located at 541 Kenmount Rd, St. John's, NL, Canada (Rogers Facility), which will enable new, critical satellite-based connectivity throughout Canada.

The NASV Earth Station is the subject of this public consultation. Furthermore, this notification package sets out important details about the NASV Earth Station and invites the public to submit their written comments and concerns by **October 18, 2021**.

## 2. Purpose of NASV Earth Station

The NASV Earth Station will serve as a gateway antenna in SES S.A.’s (SES)<sup>1</sup> SES-17 satellite network and will be used to deliver a variety of satellite-based connectivity services throughout Canada. More specifically, the NASV Earth Station will support critical in-flight connectivity services for passengers and crew on aircraft transiting Canadian airspace and will support vital broadband initiatives in Canada, particularly in satellite-dependent areas. The NASV Earth Station will help to advance Canada’s objectives to support and promote broadband connectivity services in Canada and “ensure that all Canadians have access to high-speed connectivity, no matter where they live” (See *High-speed Access for All: Canada’s Connectivity Strategy* (2019)).

---

<sup>1</sup> NASV is the earth station licensee. NASV is a corporation organized under the laws of Canada and is owned by SES S.A.’s (SES) wholly-owned subsidiary, SES Participations S.A. (SES Participations). Both SES and SES Participations are Luxembourg companies. SES is one of the largest satellite operators in the world and offers connectivity to customers across the globe. SES’s services are predominantly business-to-business, and its customers include telecommunications operators, Internet service providers, large enterprises (including in the large-ship maritime and aeronautical markets).

### 3. Site selection

The Rogers Facility was carefully selected to host the SES-17 gateway, and there are critical characteristics that make the Rogers Facility most ideal. The Rogers Facility has been supporting and enabling essential telecommunication services since 2001, when Rogers became a tenant at 541 Kenmount Road. The Rogers Facility was specifically designed for telecommunications purposes and has the infrastructure to support various telecommunication services, including satellite communications. Rogers is currently leasing land to another satellite operator, which uses RF transmitters and requires similar infrastructure and technical support as the NASV Earth Station. The costs of building a new facility capable of hosting the NASV Earth Station are substantial and require a significant amount of buildout time and resources. The NASV Earth Station will need access to fibre, which is available at the Rogers Facility and is not readily available in other areas in Canada. Given the infrastructure and technical support required for the NASV Earth Station, the Rogers Facility is the ideal location for the NASV Earth Station.

The NASV Earth Station will not cause interference in excess of accepted levels to the surrounding areas and will not be accessible to the public.

### 4. Description of NASV Earth Station

The location of the NASV Earth Station is described below:

Municipal address: 541 Kenmount Rd, St. John's, NL

Geographic coordinates: Lat: 47°32'33.76"N  
Long: 52°47'36.93"W

Zoning: Property designated as Commercial Industrial (CI), as referenced in the City of St. John's Zoning Plan. A satellite earth station antenna may be authorized at the proposed site by submitting a Discretionary Use application under the *Siting Protocol for Wireless Facilities in the City of St. John's*. NASV is currently working with the City to obtain the necessary approvals.

Location on the lot: The site is located behind the existing commercial industrial building at the extreme rear section, furthest from the road, of the proposed lot.

Land usage: The property is currently utilized as commercial industrial.

**Please review the following annexes for additional information:**

Annex 1: Location map of the proposed project

Annex 2: Site plan of the proposed project

### 5. Description of Proposed Antenna System

The NASV Earth Station is a ground-based parabolic reflector antenna for use in a satellite communications link. The reflector is 5.5 meters in diameter, and the overall height of the

structure, depending on the elevation pointing angle of the reflector, will not exceed 7.7 meters above the concrete pad on which it is installed, including a lightning rod. The top surface of the concrete pad is at ground level.

The antenna is located within a secure compound that is secured by a chain-link fence with one locked access gate. The total gated area is approximately 30 meters wide by 30 meters long and is situated within a heavily wooded area atop a steep hill.

**Please review the following annexes for additional information:**

Annex 3: Image of the proposed NASV Earth Station site

## **6. Innovation, Science and Economic Development Canada's Regulatory Framework**

### *(a) Innovation, Science and Economic Development Canada's role*

The telecommunications industry is exclusively regulated under the Federal Radiocommunication Act and administered by Innovation, Science and Economic Development Canada (ISED).

While the City of St. John's has a significant role in the approval of an antenna installation, the ultimate decision to approve an antenna system lies with Innovation, Science and Economic Development Canada.

Because satellite communication services are federally regulated, ISED has established a clear set of rules that satellite operators must follow when looking to install or modify an antenna system (the "Innovation, Science and Development Canada Rules" - *Client Procedures Circulars* (CPC 2-0-03 - Radiocommunication and Broadcasting Antenna Systems)).

### *(b) Evaluation of existing structures*

As the NASV Earth Station requires a high gain parabolic antenna directed toward a specific satellite in a fixed direction, it is impossible to share any existing supporting antenna structures. Therefore, it is necessary to construct a dedicated supporting structure with a dedicated antenna.

### *(c) Consultation with the City of St. John's*

As part of article 4.1, under Innovation, Science and Economic Development Canada's CPC-2-0-03 - Radiocommunication and Broadcasting Antenna Systems, NASV must confer with representatives of the City of St. John's, as the Land-Use Authority, and make reference to their applicable local land-use requirements and any preferences it may have for satellite earth station siting and/or design. The City of St. John's concerns, preferences and suggestions were considered when planning the new antenna system.

## **7. Public Consultation**

Through the City's *Siting Protocol for Wireless Facilities in the City of St. John's*, the city will facilitate the public consultation component, review the proposal through the Municipal

process and submit recommendations to the local Council, which becomes the municipal body responsible for providing comment on the proposal to Innovation, Science and Economic Development Canada.

In accordance with the City's policy on public notification, properties within a minimum radius of 150 metres of the application site are notified in writing by the city of this application. Notices are sent to property owners and not tenants. If a recipient of this notification owns but does not live at the property identified to receive this notice, the recipient is asked to forward this notice to any tenants which they may have. Property ownership information is based on the City's assessment roll.

Copies of this Notification Package will be provided to the City of St. John's and to the local office of Innovation, Science and Economic Development Canada. Citizens will be invited to provide feedback within 30 days of receipt of the public notification document. NASV will acknowledge receipt of any communications NASV receives from a member of the public within 14 days, and then provide a formal response within 60 days. After that, the public commentor will have a further 21 days to provide a reply.

After the public consultation process has been completed and NASV has addressed and resolved all reasonable and relevant concerns (and the public has not provided further comment within the 21 days), NASV will forward to the City of St. John's and to the local office of Innovation, Science and Economic Development Canada a letter stating that NASV has met consultation requirements.

## **8. Other Regulatory Requirements**

### *(a) Health Canada's Safety Code 6*

NASV attests that the antenna for the NASV Earth Station will be installed and operated on an ongoing basis so as to comply with Health Canada's *Safety Code 6* limits as it may be amended from time to time, for the protection of both on-site workers and the general public, including any combined effects of additional carrier co-locations and nearby installations within the local radio environment.

Additional information is available at the following Government of Canada's websites:

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/understanding-safety-code-6.html>

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

<https://www.canada.ca/en/health-canada/services/consumer-radiation/safety-cell-phones-cell-phone-towers.html>

### *(b) Environmental assessment*

NASV attests that the NASV Earth Station is not located within federal lands nor is it incidental to, or does it form part of, projects that are designated under the *Regulations Designating Physical Activities* or by the Minister of the Environment as requiring an environmental assessment. Therefore, in accordance with the *Canadian Environmental*

*Assessment Act, 2012* (S.C. 2012, c. 19, s. 52), NASV confirms that the NASV Earth Station is excluded from environmental assessment.

Detailed information on the *Canadian Environmental Assessment Act* can be found at:

<http://laws-lois.justice.gc.ca/eng/acts/C-15.21/>

(c) *Aeronautical obstruction marking requirements*

NASV attests that the NASV Earth Station will be installed and operated on an ongoing basis in compliance with Transport Canada and NAV Canada aeronautical safety requirements.

NASV has submitted its Land Use Proposal and aviation clearance specifications to Transport Canada and NAV Canada for the proposed project. NASV attests that it will respect in its entirety the existing and future requirements of Transport Canada as well as the specifications of NAV Canada.

For additional detailed information, please consult Transport Canada at:

<http://publications.gc.ca/site/eng/9.620359/publication.html>

(d) *Respect of engineering ethics and code of practice*

NASV attests that the radio antenna system for the NASV Earth Station will be constructed in compliance with the *National Building Code* and the Canadian Standard Association, will comply with any recommendations of engineers and will respect good engineering practices, including structural adequacy taking into account subsurface conditions.

## **9. Innovation, Science and Economic Development Canada's Spectrum Management**

The telecommunications industry is regulated by the Federal government, according to section 5 of the *Radiocommunication Act*. Hence, NASV is obligated to follow the process outlined by Innovation, Science and Economic Development Canada when placing antenna systems thus enabling the Land-Use Authority of the municipality to be aware of the proposed project.

Finally, it is important to mention that the activities undertaken by NASV are under the jurisdiction of the laws of the Parliament of Canada, which holds exclusive jurisdiction in regards to telecommunications matters.

To reach Innovation, Science and Economic Development Canada's local office:

### **Innovation, Science and Economic Development**

Newfoundland and Labrador District Office

Spectrum Management

P.O. Box 8950

John Cabot Building

10 Barter's Hill, 10th floor

St. John's, NL A1B 3R9

Tel.: 1-855-465-6307

Fax: 709-772-4890

Email: [ic.spectrumnld-spectredtl.ic@canada.ca](mailto:ic.spectrumnld-spectredtl.ic@canada.ca)

## 10. Contact Information for NASV

Tony Chambers,  
Senior Engineer, Ground Systems  
[tony.chambers@ses.com](mailto:tony.chambers@ses.com)  
+1-609-480-6437

Ryan Henry  
Senior Manager, Spectrum Management & Development  
[ryan.henry@ses.com](mailto:ryan.henry@ses.com)  
+1 202-878-9360

## 11. Contact Information for the City of St. John's

Department of Planning, Development and Engineering  
**City of St. John's**  
City Hall  
10 New Gower Street, 3rd floor  
St. John's, Newfoundland A1C 5M2  
Tel.: (709) 576-8452  
Email: [planning@stjohns.ca](mailto:planning@stjohns.ca)

## 12. Invitation for Public Comments

Members of the public are invited to provide their comments to Rogers about the NASV Earth Station by mail, email or phone.

To be considered part of this public consultation, comments must be received by close of business day on **October 18, 2021**. **Please send your comments to:**

Proposed Wireless Communications Installation  
Reference: A0501 - 63 O'Leary Avenue

Office of the Clerk  
P.O. Box 908  
St. John's, NL A1C 5M2  
Fax: (709) 576-8474  
Email: [cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca)

SES Americom, Inc.  
C/O Northern Americas Satellite Ventures, Inc.  
1129 20th Street NW, Suite 1000  
Washington, DC 20036  
USA  
Tel.: +1 (202) 573-4666  
Email: [kelsie.rutherford@ses.com](mailto:kelsie.rutherford@ses.com)

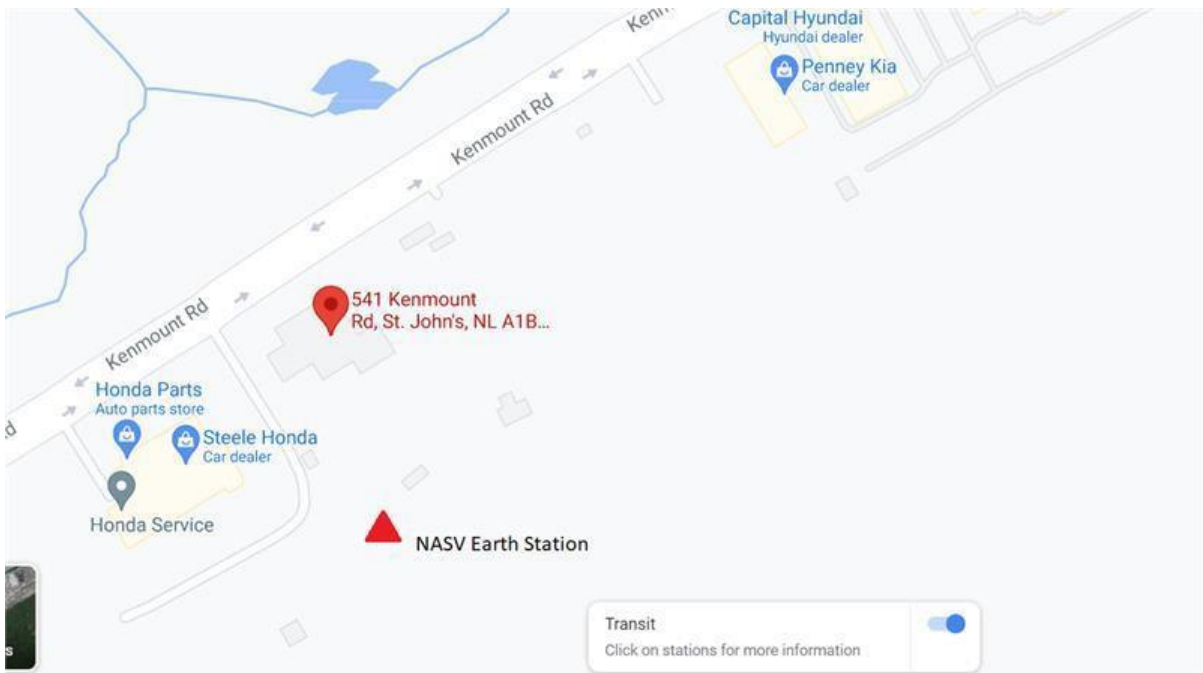
### **13. Public Comment Record**

Proposed Wireless Communications Installation

Comments or information requested on this form shall form part of the Siting Protocol for Wireless Facilities in the City of St. John's. Information will be collected in compliance with the *Personal Information Protection and Electronic Documents Act* (S.C. 2000, c.5). This information will be used to assist Rogers in responding to comments or concerns about this NASV Earth Station. Any personal information such as name, address, telephone number, and property location included in a submission from the public becomes part of the public record for this matter.



## Annex 1: Location map of the NASV Earth Station



## **Annex 2: Site plan of the NASV Earth Station**

**Annex 3: Image of the proposed NASV Earth Station site**

