



Federal Communications Commission  
Washington, D.C. 20554

**DA 05-2641**

September 30, 2005

Mr. Robert A Beizer Esq  
Gray Television Licensee, Inc.  
1750 K Street, NW  
Suite 1200  
Washington, DC 20006

Re: Call Sign: E050262  
File No.: SES-LIC-20050919-01272

Dear Mr. Beizer:

On September 19, 2005, Gray Television Licensee, Inc. filed the above-captioned application for authority to operate a temporary-fixed earth station in the conventional Ku-Band<sup>1</sup> that would communicate with Permitted List satellites. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), we dismiss this application as defective because of internal inconsistencies.

Specifically, in Form 312 Schedule B, you indicate that the Maximum EIRP Density per Carrier is 24.49 dBW/4 kHz for emission designators 6M00D7W and 7M00D7W. This value is less than and therefore inconsistent with the average values of 29.44 and 29.46 dBW/4 kHz, respectively, as derived from the bandwidth of each emission and Maximum EIRP per carrier values of 61.2 and 61.9 dBW indicated in your application. Given these inconsistencies, we cannot determine the proposed emission power.

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<sup>1</sup> 11.7-12.2 and 14.0-14.5 GHz bands.

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. §0.261, we dismiss your application without prejudice to refiling.<sup>2</sup>

Sincerely,

Scott A. Kotler  
Chief, Systems Analysis Branch  
Satellite Division  
International Bureau

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<sup>2</sup> If Gray Television Licensee, Inc. refiles an application identical to the one dismissed, with the exception of supplying the corrected information, it need not pay an application fee. See 47 C.F.R. Section 1.1109(d).