



Federal Communications Commission
Washington, D.C. 20554

DA 05-2986

November 17, 2005

Mr. Otis B. Brown
Dean, Rosenstiel School of Marine
& Atmospheric Sciences
University of Miami
4600 Rickenbacker Cswy.
Miami, FL 33149-1098

Re: Call Sign: E040248
File No. SES-LIC-20050627-00829

Dear Mr. Brown:

On June 27, 2005, the University of Miami - Rosenstiel School of Marine & Atmospheric Sciences (the University of Miami) filed the above-captioned application for a receive-only earth station in the 8085-8235 MHz band. The application requests protection from interference from other users operating in this band. On September 27, 2005, pursuant to Section 25.111(a) of the Commission's rules, 47 C.F.R. § 25.111(a), we requested that University of Miami amend the pending application and provide additional technical information needed to complete our review of the application.¹

Your application lists the TERRA and AQUA satellites as points of communication. Both of these satellites are operated by the National Aeronautics and Space Administration (NASA) under authorization from the National Telecommunications and Information Administration (NTIA). While nothing in the Commission's rules requires earth station operators seeking Commission authority to communicate with a U.S. Government satellite to provide technical information regarding the satellite, we cannot determine whether your proposed operations are likely to cause harmful interference to any other Commission-licensed operations.

Since neither of the NASA satellites at issue here is licensed by the Federal Communications Commission and we have not previously authorized any earth station to communicate with these satellites, we have no technical information before us regarding

¹ See Letter from Scott A. Kotler, Chief Systems Analysis Branch, FCC to Otis B. Brown, Dean, Rosenstiel School of Marine & Atmospheric Sciences, University of Miami (dated September 27, 2005).

TERRA or AQUA. Therefore, in order to continue processing this application we requested, in our September 27, 2005 letter, that you amend your application within 30 calendar days to include the following in regard to TERRA and AQUA:

(1) All the information specified in Section 25.114(d) of the Commission's rules, 47 C.F.R. § 25.114(d).

(2) A Schedule S, as required by Section 25.114(a) of the Commission's rules, 47 C.F.R. § 25.114(a).

We have not received the information specified in our September 27 letter. Accordingly, pursuant to Sections 25.112(c) and 0.261 of the Commissions rules,² we dismiss your application without prejudice for failure to provide the above requested information.

Sincerely,

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

² See 47 C.F.R. §§ 25.112(c) and 0.261.