



Federal Communications Commission  
Washington, D.C. 20554

DA 06-1055

May 17, 2006

Mr. Robert A. Huffman  
Interstate Electronics Corporation  
602 East Vermont Ave  
Anaheim, CA 92805

Re: Call Sign: E060139  
File No.: SES-LIC-20060414-00656  
File No.: SES-AMD-20060512-00798  
File No.: SES-STA-20060414-00657

Dear Mr. Huffman:

On April 12, 2006, L3 Communications IEC (L3) filed the above-captioned application and request for special temporary authority to operate a Fixed-Satellite Service (FSS) earth station in Point Mugu, CA. L3 proposes to use this earth station to communicate with ALSAT-designated satellites in the conventional and extended Ku-Band.<sup>1</sup> This application was amended on May 11, 2006, to change the EIRP and EIRP densities. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), we dismiss these applications without prejudice to refile.

Specifically, Form 312 Schedule B of the license application indicates that the only Points of Communication for the proposed earth station are ALSAT-designated satellites. Only those fixed-satellite service earth stations that are two-degree compliant and that operate in the 3700-4200 MHz, 5925-6425 MHz, 11.7-12.2 GHz, or 14.0-14.5 GHz bands can request ALSAT as a point of communication. Because the proposed operations request to use the 10.7-11.7 and 12.2-12.75 GHz bands, the application must identify the specific satellite or satellites with which the proposed earth station seeks to communicate in these bands.<sup>2</sup>

In addition, L3's application indicates it will operate this earth station in the Fixed Satellite Service. Use of the 12.2-12.7 GHz band is limited to the Broadcast Satellite Service by the U.S. Table of Frequency Allocations, 47 C.F.R. § 2.106. Further, however, L3 indicates that its earth station will receive in the 12.7-12.75 GHz band. The Table of Frequency Allocations, however permits the 12.7-12.75 GHz band to be used for Earth-to-space uplink transmissions only. L3 does not request a waiver of the Table to permit the proposed non-conforming uses.

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<sup>1</sup> 10.7-12.75 GHz and 14.0-14.5 GHz.

<sup>2</sup> Amendment of the Commission's Regulatory Policies to Allow Non-U.S.-Licensed Space Stations to Provide Domestic and International Services in the United States, First Order on Reconsideration, IB Docket No. 96-111, 15 FCC Rcd 7207, 7214-16 (paras. 16-20).

In addition, we cannot determine the proposed emission power of the earth station due to inconsistencies among the proposed maximum EIRP density per carrier listed in the application and the average EIRP density calculated from other parameters. Specifically, for the 192KG7D emission, L3 indicates, in response to Question E49, that the maximum EIRP density per carrier for the earth station is 19.7 dBW/4kHz. However, we calculate an average value of +30.03 dBW/4kHz as derived from the maximum EIRP per carrier of 46.84 dBW listed in response to Question E48 and the 192 kilohertz necessary bandwidth listed in response to Question E47. Similarly, for the 64K0G7D and 192KG7D emission, L3 indicates in response to Question E49 that the maximum EIRP density per carrier for the earth station is 7.9 and 19.7 dBW/4kHz, respectively. However, these values are less than the average value of +30.03 dBW/4kHz as derived from the maximum EIRP per carrier of 42.07 and 46.84 dBW (Question E48) and 64 and 192 kilohertz necessary bandwidths, respectively (Question E47).

Further, for the 768KG1F emissions, in response to question E49, L3 lists 48.6 dBW/4 kHz as the Maximum EIRP density per Carrier, which corresponds to a power density at the input of the antenna flange of -1 dBW/4 kHz. This value exceeds the maximum input power spectral density limit for routinely authorized earth stations in Section 25.212(c) of the Commission's rules, 47 C.F.R. §25.212(c). Therefore, ALSAT-designated satellites are not appropriate as a point of communication for this emission and L3 must identify specific satellites as its point of communication. Also, in accordance with Section 25.220(f)(2) of the Commission's rules, 47 C.F.R. §25.220(f)(2), a certification described in Section 25.220(e)(1) of the Commission's rules, 47 C.F.R. §25.220(e)(1), from each target satellite operator is required. L3's application, as amended, does not include these certifications.

Finally, we note that the use of the 10.7-11.7 GHz and 12.7-12.75 GHz band is shared on co-primary basis with the Fixed Service. Section 25.203(c)<sup>3</sup> of the Commission's rules requires Earth station applications seeking authority to use these bands to include a Frequency Coordination Report. However, this application did not include a Coordination Report.

Given the above, the application, as amended, and the STA request are incomplete.

In addition, we note that the use of the 10.7-11.7 GHz band is subject to footnote NG104 of the Table of Frequency Allocations, 47 C.F.R. § 2.106, which limits service to international rather than domestic use. In any refiling, we request that L3 confirm that it will be receiving transmissions that emanate from an international Earth-to-space transmission or, alternatively, L3 should seek a waiver of the Table of Frequency Allocations to operate this earth station in the 10.7-11.7 GHz band on an unprotected basis.

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<sup>3</sup> 47 C.F.R. § 25.203(c).

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 L3's applications without prejudice to refiling.<sup>4</sup>

Sincerely,

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

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<sup>4</sup> If L3 refiles a license application identical to the one dismissed, with the exception of supplying the missing information, it need not pay an application fee. *See* 47 C.F.R. §1.1109(d).