



Federal Communications Commission
Washington, D.C. 20554

DA 06-1219

June 06, 2006

Terry Chiglo
Ace Telephone Association
210 East Cedar Street, P.O. Box 507
Houston, TX 55943

Re: File No. SES-REG-20060508-00900
Call Sign: E060197

Dear Mr. Chiglo:

On May 8, 2006, Ace Telephone Association filed by paper the above-captioned application to register a receive-only earth station operating in the C-Band.¹ As of November 5, 2004, all filings on Form 312 must be submitted electronically through IBFS. Please see *Amendment of the Commission's Space Station Licensing Rules and Policies, 2000 Biennial Regulatory Review---Streamlining and the Revisions of Part 25 of the Commission's Rules Governing the Licensing of, and Spectrum Usage of Satellite Network Earth Stations and Space Stations*, IB Docket Nos. 02-34 and 00-248; 19 FCC Rcd 19564 (Int'l. Bur., 2004). Thus, the May 8 application was improperly filed.

In addition, a review of the application reveals that it does not include Antenna Gain information or a Frequency Coordination Report as required by Section 25.203(c) of the Commission's rules, 47 C.F.R. §25.203(c).

Further, although not a basis for dismissal, we note there is an inconsistency in the frequency bands provided in the application. In response to Question 24 of Form 312 Main Form, the application indicates that the earth station will receive in the C and Ku-Bands. However, the information provided in Schedule B includes technical information regarding the C-Band only. Please correct this discrepancy in any refiling. In addition, please note that the Commission does not license or register receive-only FSS stations operating with satellites in the 11.7-12.2 GHz portion of the Ku-band that are on the Permitted Space Station List. See *Deregulation of Domestic Receive-Only Satellite Earth Stations*, Second Report and Order, CC Docket No. 78-374, (adopted March 25, 1986).² Because FSS is the only primary allocation in this band, operations to FSS receive-only Ku-band earth stations are protected against interference from the operations of any other communications service. As such, in this band, licensing or registering earth stations is unnecessary.

¹ 3720-4180 MHz

² See *Deregulation of Domestic Receive-Only Satellite Earth Stations*, Second Report and Order, 104 FCC 2d 348 (1986), at para. 12.

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 this application as defective without prejudice to refile.³

If you choose to refile the application, please file it electronically via our International Bureau Filing System (IBFS). The website is www.fcc.gov/ibfs. If you need any technical assistance with IBFS, please contact the IBFS help desk at 202-418-2222.

Sincerely,

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

³ If Ace Telephone Association refiles an 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).