



Federal Communications Commission  
Washington, D.C. 20554

DA 06-1540

July 28, 2006

Steven Moreen  
ABS-CBN International, Inc.  
150 Shoreline Drive  
Redwood City, CA 94065-1400

Re: Call Sign: E970116  
File No.: SES-MOD-20060601-00923

Dear Mr. Moreen:

On June 6, 2006, ABS-CBN International, Inc. (ABS-CBN) filed the above-captioned application to modify earth station call sign E970116 to add a 7.6 meter antenna that will operate in the Ku-band.<sup>1</sup> For the reasons stated below, we dismiss the application as defective without prejudice to refile.

In response to question E49 on Schedule B, the application lists the maximum EIRP density value of 45.3 dBW/4 kHz for emission 6M00G1F. This is less than the calculated average value of 51.32 dBW/4 kHz using the maximum EIRP of 83.08 dBW and the 6 megahertz bandwidth. Given this inconsistency, we cannot determine the proposed emission power.

Further, in its application, ABS-CBN indicates it seeks to communicate with ALSAT-designated satellites. ALSAT may only be listed as a point of communication for routinely authorized earth stations.<sup>2</sup> Using the proposed Maximum EIRP density per carrier listed in response question E49 and the Transmit Antenna Gain listed in response to E41, the maximum input power density into the antenna flange for the following digital emissions are: 20M3D7W (-13.94 dBW/4kHz), 35M9G7W (-13.89 dBW/4kHz), 54K6G7W (-13.95 dBW/4 kHz), and 38K4G7W (-13.95 dBW/4kHz). Those values exceed the maximum input power spectral density limit of -14 dBW/4 kHz for routinely authorized earth stations under Section 25.212(c) of the Commission's rules, 47 C.F.R. § 25.212(c). Additionally, pursuant to Section 25.211(d)(2) of the Commission's rules, 47 C.F.R. § 25.211(d)(2), the maximum input power into the antenna flange for the following analog video transmissions exceed our routinely authorized level of 27 dBW: 36M0F8F (30 dBW) and 18M0F8F (30 dBW). Consequently, ABS-CBN cannot designate ALSAT as a point of communication and instead must identify the specific satellites with which

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<sup>1</sup> 11.7-12.2 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, 7210 n. 19.

the earth station will communicate. Also, in accordance with Section 25.220(f)(2) of the Commission's rules, 47 C.F.R. §25.220(f)(2), applications for non-routine earth stations must include 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 that it has reached agreements with adjacent satellite operators regarding the non-routine operations. ABS-CBN's application does not include these certifications. Therefore, the application is incomplete.

Furthermore, ABS-CBN lists, in response to question E56 on Schedule B, the eastern limit for the azimuth angle as 85°. This is inconsistent with the 101.1° angle that is calculated using the eastern limit of the satellite arc of 50° W.L. and the earth station site location. Should ABS-CBN refile the application, it must supply a value for azimuth consistent with the limits of the satellite arc and the location of the earth station.

Accordingly, pursuant to Sections 25.112(a)(1) and 0.261,<sup>3</sup> we dismiss ABS-CBN's modification application, as defective, without prejudice to refiling.<sup>4</sup>

Sincerely,

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

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<sup>3</sup> 47 C.F.R. §§ 25.112(a)(1) and 0.261. See also Echostar Satellite LLC, Order on Reconsideration, DA 04-4056 (released December 27, 2004).

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