



Federal Communications Commission
Washington, D.C. 20554

DA 06-2429

November 29, 2006

Keith H. Fagan
1101 Wootton Parkway
10th Floor
Rockville, MD 20852

Re: Call Sign KA249
File No. SES-MOD-20061031-01928
File No. SES-STA-20061115-02026

Dear Mr. Fagan:

On October 31, 2006, Telenor Satellite, Inc. (Telenor) filed the above-captioned application to modify the license for earth station KA249 located in Santa Paula, CA. In the modification application, Telenor seeks authority to add a 13-meter antenna and communicate with ALSAT-designated satellites using the conventional C-Band¹ and extended C-Band² frequencies. On November 15, 2006, Telenor filed a supplementary letter³ to remove from its application its request for the use of the extended C-Band frequencies. Also, on November 15, 2006, Telenor filed a request for Special Temporary Authority to operate this earth station pending Commission action on the underlying license application. For the reasons stated below, we dismiss the application, as amended, and the STA request as defective without prejudice to refileing.

Specifically, Telenor lists 42.3 and 53.8 dBW/4 kHz as the Maximum EIRP densities per Carrier in response to question E49 for the 48M6G7W and 69K0G7W emissions. These levels correspond to a power density at the input of the antenna flange of -10.03 and 1.47 dBW/4 kHz, respectively. These values exceed 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). In such cases, applicants may not use ALSAT-designated satellites as the point of communication.⁴ Thus, Telenor 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.

¹ 3700-4200 and 5925-6425 MHz bands.

² 3600-3700, 5850-5925, and 6425-6475 MHz bands.

³ See Letter from Keith H. Fagan, Counsel, Telenor Satellite, Inc. to Marlene H. Dortch, Secretary, FCC, dated Nov. 15, 2006.

⁴ 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).

§25.220(f)(2), Telenor must submit 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. Telenor's application, as amended, does not include these certifications.

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 both applications without prejudice to refile.⁵

Sincerely,

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

⁵ If Telenor 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).