



Federal Communications Commission
Washington, D.C. 20554

DA 06-770

March 31, 2006

Julian L. Shepard
Williams Mullen
1666 K Street, NW, Suite 1200
Washington, DC 20006

Re: File No.: SES-LIC-20060210-00434

Dear Mr. Shepard:

On February 10, 2006, MMT License LLC (MMT) filed by paper a Ku-Band transmit/receive earth station application. For reasons discussed below, we dismiss the application as defective, without prejudice to refile.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). The February 10 application was filed by paper rather than electronically.

Also, a review of your application reveals that MMT did not submit all required information on FCC Form 312 – Schedule B. Specifically, MMT did not supply information with respect to Antenna Heights and Maximum Power limits (Table B5), Particulars of Operation (Table B7), Remote Control Point Location (Table B10), and FAA Notification (Question B13).

Further, while not a basis for dismissal, we note in response to Question 20 (Nature of Service) on the FCC 312 Main Form, MMT indicates that the proposed earth station is to operate in the secondary-allocated Mobile Satellite Service rather than the primary-allocated Fixed Satellite Service. The use of the secondary allocation is inconsistent with Section IV of your application which proposes ALSAT-designated satellites as a point of communication. The ALSAT designation may be used only for earth stations operating pursuant to the primary FSS allocation. In addition in response to Question 25 (Class of Station), MMT indicated that the proposed earth station is a Mobile Earth Terminal. This station class designation is only appropriate for terminals that transmit while in motion. If your terminal does not transmit while in motion, but is portable and transmits at various fixed locations for a period less than 6 months, its station class designation is a Temporary-Fixed Earth Station.

¹ If MMT License LLC 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).

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.

Accordingly, pursuant to Section 25.112(a)(1)² 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 your application as defective without prejudice to refile.

Sincerely,

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

² 47 C.F.R. § 25.112(a)(1). See *also* Echostar Satellite LLC, *Order on Reconsideration*, DA 04-4056 (released December 27, 2004).