



Federal Communications Commission
Washington, D.C. 20554

DA 06-990

May 05, 2006

William M. Wiltshire
Harris, Wiltshire & Grannis, LLP
1200 Eighteenth Street, NW
12th Floor
Washington, DC 20036

Re: Call Sign: E950349
File No.: SES-STA-20060501-00734

Dear Mr. Wiltshire:

On May 1, 2006, DIRECTV Enterprises, LLC (DIRECTV) filed the above-captioned request for special temporary authority (STA) to operate the above-referenced earth station. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), we dismiss the application as defective.

The previous license¹ for this earth station which expired October 27, 2005, authorized the earth station to operate in the 11.45-11.7, 11.7-12.2, 13.75-14.0, and 14.0-14.5 GHz bands. In its STA request, DIRECTV proposes to operate the earth station with ALSAT-designated satellites in both the "conventional" Ku-bands at 11.7-12.2/14.0-14.5 GHz and the "extended" Ku-bands at 11.45-11.7/13.75-14.0 GHz. For operations in the extended Ku-band, however, applicants must identify the specific satellite or satellites with which the proposed earth station seeks to communicate.² Since DIRECTV did not provide this information, we are dismissing this application as defective.

We also note that the 11.45-11.7 GHz band is shared on a co-primary basis with the Fixed Service. Section 25.203(c)³ of the Commission's rules requires earth station applicants seeking authority to use co-primary bands must include a Frequency Coordination Report in any application. However, DIRECTV's application did not include this Report. In any refile of the STA request, DIRECTV must provide a Frequency Coordination Report as required by Section 25.203(c) or indicate that it is willing to operate this earth station on an unprotected basis in the 11.45-11.7 GHz band.

¹ See IBFS File No. SES-MOD-19961030-00242.

² 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 (1999) (paras. 16-20).

³ 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 this application without prejudice to refiling.

Sincerely,

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