



Federal Communications Commission
Washington, D.C. 20554

DA 07-2072

May 15, 2007

Mr. Frank Jazzo
Fletcher, Heald & Hildreth, PLC
1300 North 17th Street
11th Floor
Arlington, VA 22209

Re: Call Sign E060122
File No. SES-MOD-20070427-00528

Call Sign E060116
File No. SES-MOD-20070427-00527

Dear Mr. Jazzo:

On April 27, 2007, RCN License Subsidiary, Inc. (RCN) filed the above-captioned applications to modify the licenses of two C-Band¹ transmit-only Temporary-Fixed earth stations. The applications seeks to convert the authorizations to fixed earth stations.

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, that contains internal inconsistencies, or that does not substantially comply with the Commission's rules. Both of RCN's applications contain an omission that render each unacceptable and subject to dismissal.

The 5925-6425 MHz band is shared on a co-primary basis with the Fixed Service (FS). Section 25.203(c) of the Commission's rules, 47 C.F.R. § 25.203(c), requires applicants seeking a license to operate an earth station at a fixed location, using shared bands to file a Frequency Coordination Report with respect to Fixed Service operations. In response to Question E18 of Schedule B, RCN correctly indicated that frequency coordination is required; however, it did not submit a Coordination Report.

¹ 5925-6425 MHz band.

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 refiling.²

Sincerely,

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

² If RCN License Subsidiary, Inc. refiles applications identical to the ones dismissed, with the exception of supplying the corrected information, it need not pay an application fee. See 47 C.F.R. § 1.109(d).