



Federal Communications Commission
Washington, D.C. 20554

DA 07-2348

Mr. Joseph E. Dunne III
P.O. Box 9203
Durango, CO 81302-9203

Re: Call Sign E880772
File No. SES-MFS-20070509-00583

Dear Mr. Dunne:

On May 9, 2007, Sure Shot Transmissions, Inc. (Sure Shot) filed the above-captioned application to modify its temporary-fixed Ku-band¹ earth station license by adding new emission designators, increasing EIRP and EIRP density, and replacing an antenna. For reasons discussed below, we dismiss the application as defective, without prejudice to refiling.²

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. Sure Shot's application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiencies are as follows:

Question 28 of Form 312 indicates that a radiation hazard study must accompany all applications as an exhibit for new transmitting facilities such as the one proposed.³ However, Sure Shot's application did not include this required exhibit.

In response to item E49 of Schedule B, Sure Shot did not list the maximum equivalent isotropic radiated power (EIRP) density per carrier for its transmitted frequencies associated with emission designators 51K2G7W, 598KG7W, 1M87G7W, 2M68G7W, 2M50G7D, 3M20G7D, 9M00G7W, 24M0G7F, and 36M0G7W. Additionally, in response to item E48 of the Schedule B Sure Shot did not list the maximum EIRP per carrier for its transmitted frequency associated with emission designator 598KG7W. This missing information is required.

While we dismiss the application on the above basis, we take this opportunity to apprise Sure Shot of a minor inconsistency in its application that it should address if it chooses to refile it.

In response to Question 24 of Form 312 regarding the frequency bands in the application, Sure Shot lists the lower frequency as 10.95 GHz, while in item E43/44 of Schedule B, Sure Shot lists

¹ 11.7-12.2 GHz and 14.0-14.5 GHz.

² If Sure Shot refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).

³ 47 C.F.R. § 1.1307(b).

the lowest frequency to be 11.7 GHz. We request Sure Shot to resolve this difference in its refiling.

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 Sure Shot's application without prejudice to refiling.

Sincerely,

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