Federal Communications Commission
Washington, D.C. 20554

DA 07-503

February 1, 2007

Mr. Eddie Maalouf
Pacific Satellite Connection, Inc.
1629 S Street
Sacramento, CA 95814

Re: File No.: SES-LIC-20070103-00008
Call Sign: E070001

Dear Mr. Maalouf:

On January 3, 2007, Pacific Satellite Connection, Inc. (Pacific Satellite) filed the above-captioned application for authority to operate a fixed earth station that would communicate with ALSAT-designated satellites in portions of the extended and conventional C-Band.[1] Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss this application as defective without prejudice to refiling.

In Schedule B of the license application, Pacific Satellite indicates that the only Points of Communication for the proposed earth station are ALSAT-designated satellites. However, only those fixed-satellite service earth stations that are both 2-degree compliant and operate in the conventional C-band frequencies 3700-4200 MHz and 5925-6425 MHz are eligible to request ALSAT-designated satellites as points of communication. Because Pacific Satellite proposed operations in the 5850-5925 MHz band, it must identify the specific satellite or satellites with which the proposed earth station seeks to communicate.[2]

In addition, in response to Question 26 on FCC Form 312, Pacific Satellite indicates that it seeks a license for a Transmit/Receive station. However, Pacific Satellite did not include the receive frequency band in response to Questions E43-E47 of Schedule B. Additionally, Pacific Satellite did not provide a response to Questions E54 through E60 concerning frequency coordination for the 5850-5925 MHz band. Without this information, the application is incomplete.

Furthermore, in response to Question E18 in Schedule B, Pacific Satellite indicates that frequency coordination is not required. However, pursuant to Section 25.203(c) of the Commission's rules, 47 C.F.R. § 25.203(c), all earth station applicants must complete frequency coordination if they intend to operate in frequency bands shared with terrestrial services on a co-primary basis.

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[1] 5850-5925 and 5925-6425 MHz.

[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, I B Docket No. 96-111, 15 FCC Rcd 7207, 7214-16 (paras. 1602).

Additionally, in response to Question E48 of Schedule B, Pacific Satellite lists the maximum EIRP per carrier for the 2K40G7E emission as 48 dBW and in response to Question E49, lists the maximum EIRP density per carrier as 31.01 dBW/4 kHz. For emissions having bandwidths less than 4 kilohertz, such as the proposed 2K40G7E emission, the maximum EIRP density in a 4 kHz band is the same as the maximum EIRP specified in response to Question E48. Moreover, in response to Question E41/42, Pacific Satellite indicates that the transmit antenna gain is 48.1 dBi. Based on these values, we calculate a maximum power density at the input of the antenna as -0.1 dBW/4 kHz. This value exceeds the maximum input power spectral density limit of -2.7 dBW/4 kHz for routinely authorized earth stations in Section 25.212(d)(2) of the Commission's rules, 47 C.F.R. §25.212(d)(2). In such cases, applicants may not use ALSAT-designated satellites as the point of communication.[3] Thus, Pacific Satellite must identify specific satellites as its point of communication for this emission. Also, in accordance with Section 25.220(f)(2) of the Commission's rules, 47 C.F.R. §25.220(f)(2), Pacific Satellite 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. Pacific Satellite's application does not include these certifications.

Further, in response to Question 25 on FCC Form 312, Pacific Satellite indicates that the station is Temporary-Fixed. However, in response to Questions E11-E13 of Schedule B, Pacific Satellite lists a specific coordinate location for the station. This implies that the station is fixed, rather than temporary-fixed. Pursuant to Section 25.277 of the Commission's rules, temporary fixed earth stations must remain at a single location for fewer than 6 months. In any refiling, Pacific Satellite should clarify the type of station for which it is applying.

Finally, in response to Question E54 of Schedule B, Pacific Satellite indicates that the easternmost portion of the satellite arc is 74° E.L. This value is inconsistent with the location of the earth station, the 15° elevation angle listed as the eastern limit in response to Question E57, and the 101° easternmost azimuth limit as indicated in response to Question E56 of Schedule B. Should Pacific Satellite refile the application, it must supply an appropriate value for easternmost portion of the satellite arc for which it intends to communicate.

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 your application without prejudice to refiling.[4]

Sincerely,

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

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[3] 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).

[4] If Pacific Satellite 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. §1.1109(d).