



Federal Communications Commission  
Washington, D.C. 20554

DA 08-1068

May 5, 2008

Mr. Robert W. Swanson  
Vizada, Inc.  
1101 Wootton Parkway, 10<sup>th</sup> Floor  
Rockville, MD 20852

Re: Call Sign KA313  
File No. SES-MOD-20080310-00256

Dear Mr. Swanson:

On March 10, 2008, Vizada, Inc. (Vizada) filed the above-captioned application to modify its Ku-Band<sup>1</sup> Earth Station on board Vessel (ESV) license to add up to 400 new 1.5 meter antennas<sup>2</sup> and add new emissions. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss without prejudice to refiling the portion of the application that seeks to use the 1M43G1W and 2M35G1W emissions.

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, contains internal inconsistencies, or does not substantially comply with the Commission's rules. A portion of Vizada's application is internally inconsistent, which renders it unacceptable and subject to dismissal. The deficiency is as follows:

In response to item E48 of Schedule B, Vizada lists the maximum EIRP per carrier for emission 1M43G1W as 55.0 dBW and for emission 2M35G1W as 57.2 dBW. These values are higher than, and therefore inconsistent with, the 52.0 dBW Total EIRP for all carriers listed in response to item E40 of Schedule B. Given these inconsistencies, we cannot determine the proposed emission power for emissions 1M43G1W and 2M35G1W. Thus, the portion of Vizada's application seeking to use the 1M43G1W and 2M35G1W emissions in the 14.0-14.5 GHz band is defective.

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<sup>1</sup> 10.95-11.2, 11.45-12.2, 14.0-14.5 GHz frequency bands.

<sup>2</sup> SeaTel Model 6006.

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 the application to the extent above without prejudice to refiling.<sup>3</sup>

Sincerely,

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

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<sup>3</sup> If Vizada refiles an application identical to the portion dismissed, with the exception of supplying the corrected information, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).