



Federal Communications Commission
Washington, D.C. 20554

DA 08-1843

August 4, 2008

Alfred R. Calabrese, Jr.
Marine Technologies, LLC
1111 Decker Drive
Mandeville, LA 70471

Re: File No.: SES-STA-20080716-00942

Dear Mr. Calabrese, Jr.:

On July 16, 2008, Marine Technologies, LLC (M.T.) filed the above-captioned request for Special Temporary Authority (STA) to conduct a test to assess its Radio Marine Ku-Band V-SAT network. M.T. proposes to use a 0.80 meter and operate its Earth Station on Vessel (ESV) in the Ku-band.¹ M.T. requested operation via common carrier service.² For the reasons stated below, we dismiss the STA as defective without prejudice to refileing.

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. M.T.'s application is both technically inconsistent and incomplete, which render it unacceptable and subject to dismissal. The deficiencies are as follow:

Section 25.120 of the Commission's rules, 47 C.F.R. § 25.120(a) indicates that applications for Special Temporary Authority must contain the full particulars of the proposed operation. M.T.'s STA request did not include a radiation hazard analysis. See 47 C.F.R. § 1.1307(b).

According to the U.S. Table of Frequency Allocations, 47 C.F.R. § 2.106, the Commission allocated ESV service in the 10.95-11.2 GHz (space-to-Earth), 11.45-11.7 GHz (space-to-Earth), 11.7-12.2 GHz (space-to-Earth), and 14.0-14.5 GHz (Earth-to-space) frequency bands operating with geostationary satellites in the Fixed Satellite Service. In response to item E43/44 of Schedule B, M.T. proposes to transmit in the 13.75-14.5 GHz band and receive in the 10.7-12.75 GHz band. M.T.'s proposal to use the 10.7-10.95, 11.2-11.45, 12.2-12.75, and 13.75-14.0 GHz bands are in frequency bands that are not allocated for ESV service. Furthermore, Footnote US356 of the U.S. Table of Frequency Allocations, 47 C.F.R. § 2.106, and Section 25.204(f) of the Commission's rules, 47 C.F.R. § 25.204(f), require earth stations operating in the 13.75-14.0 GHz band to have an antenna size of at least 4.5 meters in diameter and operate with an equivalent isotropic radiated power (E.I.R.P.) between 68 and 85 dBW. M.T., however, proposes to use a 0.80 meter antenna and operate with a maximum E.I.R.P. of 39 dBW for its emissions in

¹ M.T. proposes to receive in the 10.7-12.75 GHz band and transmit in the 13.75-14.5 GHz band.

² M.T. proposed to communicate with Intelsat 707 satellite located at 53 degrees W.L.

this band. M.T. did not file a request for waiver of the Table of Frequency Allocations to permit any of its proposed non-conforming uses, nor did it file a request for waiver of Section 25.204(f).

In response to Question E15 of Schedule B, M.T. claimed that its proposed Radio Marine 0.80 meter antenna complies with the antenna gain patterns specified in Section 25.209(a) and (b) of the Commission's rules, 47 C.F.R. § 25.209(a) and (b). Based on the antenna patterns submitted with the STA request, we note that M.T. does not comply with the antenna performance standards of Section 25.209(a) and (b).

In addition, M.T. did not include all required exhibits pursuant to Section 25.222 of the Commission's rules, 47 C.F.R. § 25.222 on Blanket Licensing provisions for ESVs. Specifically, M.T. needs to submit sufficient data to demonstrate that the planned ESV operation will meet the off-axis E.I.R.P. spectral density criteria, information regarding the antenna's ability to cease operations when mispointed, the area in which the ESV will operate, and the information regarding the hub antenna pursuant to Sections 25.222(a)(1)-(a)(10), 47 C.F.R. §§ 25.222(a)(1)-(a)(10). Compliance with the Commission's off-axis E.I.R.P. density limits must be demonstrated by using one of the three methods indicated in Section 25.222(b) of the Commission's rules.

Finally, in response to item E49 of Schedule B, M.T. lists a maximum E.I.R.P. density per carrier for emission designator 43K0G7W of the transmit frequency as 15.1 dBW/4kHz. This value is less than, and therefore inconsistent with, the average value of 28.68 dBW/4kHz that we calculate using the E.I.R.P. value of 39.0 dBW M.T. provides in response to item E48 and the bandwidth of 43 kilohertz of the corresponding emission M.T. provides in response to item E47 of Schedule B. Given this inconsistency, we cannot determine the proposed emission power.

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(2), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss the STA request without prejudice to refiling.³

Sincerely,

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

³ If M.T. 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).