



Federal Communications Commission
Washington, D.C. 20554

DA 10-2357

December 14, 2010

Mr. James Veeder
Denali 20020, LLC
66 C USEI Drive
Brewster, WA 98812

Re: Call Sign E920585
File No.: SES-MOD-20100617-00709

Dear Mr. Veeder:

On June 17, 2010, Denali 20020, LLC (Denali 20020) filed a modification application to add conventional C-band frequencies¹ and emission designators to its existing Ku-band license.² For the reasons stated below, we dismiss the application as defective without prejudice to refile.³

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. Denali 20020's modification application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiencies are as follows:

In response to Question E48 in the Schedule B of FCC Form 312, Denali 20020 lists the maximum equivalent isotropic radiated power (EIRP) level per Carrier as 83.50 dBW for analog emission designator 36M0F3F. This power level exceeds the 26.5 dBW input power limit for analog carriers specified in Section 25.211(d)(1) of the Commission's rules, 47 C.F.R. § 25.211(d)(1). Denali 20020 has not requested a waiver of this rule.

In addition, Denali 20020 lists the maximum EIRP density per Carrier for emission designator 2M40G7D as 55.70 dBW/4kHz. Based on this information, we calculate the power density per Carrier for the emission at the input of the antenna flange as +0.30 dBW/4kHz (subtracting the antenna gain from the EIRP density). This value exceeds the -2.7 dBW/4kHz power density limit for digital carriers specified in Section 25.212(d)(2) of the Commission's rules, 47 C.F.R. § 25.212(d)(2), and Denali 20020 has not requested a waiver of this rule.

¹ The Conventional C-band encompasses frequency ranges 3700-4200 MHz and 5925-6425 MHz.

² SES-MOD-20040702-00931, SES-RWL-20030110-00039, and SES-LIC-19920819-00851.

³ If Denali 20020 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. § 1.1111(d).

In response to Question E21 in the Schedule B of FCC Form 312, Denali 20020 lists ALSAT as the proposed points of communication. However, earth station applications may not designate ALSAT in cases where the earth station's power density exceeds the limit in Section 25.212(c) of the Commission's rules, 47 C.F.R. § 25.212(c). Applicants proposing operations exceeding these limits must identify specific satellites as points of communication.⁴ Thus, Denali 20020's modification application must specifically list all satellites with which the earth station intends to communicate. Further, satellite operator certifications must be submitted pursuant to Section 25.220(d) of the Commission's rules, 47 C.F.R. § 25.220(d). Denali 20020 failed to include these certifications.

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 Denali 20020's applications without prejudice to refiling.

Sincerely,

Paul Blais
Chief, Systems Analysis Branch
Satellite Division
International Bureau

⁴ 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 7207-7210 n.19.