



Federal Communications Commission  
Washington, D.C. 20554

DA 12-1164

July 19, 2012

Mr. Frankie Winsett  
Chameleon Communications Group, Inc.  
402 N. Carolina Ave.  
Palm Harbor, FL 34683

Call Sign: E120096  
File No.: SES-LIC-20120531-00484

Dear Mr. Winsett:

On May 31, 2012, Christian Television of Palm Beach County, Inc. (Christian Television) filed the above-captioned application for a Fixed Satellite Service (FSS) C-band earth station license to provide digital video programming to affiliated stations. Pursuant to Section 25.112(a) of the Commission's rules,<sup>1</sup> we dismiss the application as defective without prejudice to refiling.<sup>2</sup>

Section 25.112(a) of the Commission's rules 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. The deficiencies are as follows:

The application contains inconsistent statements regarding the frequency ranges of the earth station operations. Responses to FCC Form 312 items 24 and 26 of indicate that the earth station will transmit and receive in C-band "(4/6GHz)" frequencies, but the response to item E43/44 of Schedule B indicates it will transmit on frequencies in the 6425-9525 MHz frequency band.<sup>3</sup> Section 25.201 of the Commission's rules defines C-band as specifically the 3700-4200 MHz downlink and 5925-6425 MHz uplink frequency bands.<sup>4</sup> Also, please note that not all parts of the 6425-9525 MHz frequency band are allocated for Fixed Satellite Service. Therefore, the application does not comply with Sections 25.201 (Definitions) and Section 2.106 (Table of Frequency Allocations) of the Commission's rules.<sup>5</sup>

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<sup>1</sup> See 47 C.F.R. § 25.112.

<sup>2</sup> If Christian Television 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).

<sup>3</sup> Christian Television did not identify a proposed receive (space-to-Earth) frequency range in its application.

<sup>4</sup> See 47 C.F.R. § 25.201.

<sup>5</sup> See 47 C.F.R. § 2.106 Table of Frequency Allocations.

The response to FCC Form 312 Schedule B items E38 (total input power at antenna flange) and E41 (antenna gain transmit) indicate that the level in item E40 (total EIRP for all carriers) should be 58.68 dBW rather than 64.9 dBW.<sup>6</sup> Therefore the application contains internal inconsistencies.

Section 2.201 of the Commission's rules requires a specific format for designating emission, modulation, and transmission characteristics.<sup>7</sup> The responses to Schedule B item 47 do not comply with the format prescribed by Section 2.201 of the Commission's rules.

The application did not include a current frequency coordination report as required by Sections 25.203 and 25.115(c) (2) (iii), of the Commission's rules<sup>8</sup> and clarified by question 15 of the FCC website, "Frequently Asked Questions (FAQ): Processing of Earth Station Applications"<sup>9</sup>, that earth station applications must include Frequency Coordination and Interference Analysis Reports that are not older than 6 months from the date the earth station application is filed. Christian Television filed its application on May 31<sup>st</sup> 2012.<sup>10</sup> The frequency coordination report submitted with its application is dated June 9, 2011 - a gap of one year between the filing and the date of the frequency report. Therefore the application is incomplete.

Furthermore, the expired frequency report that was submitted contains the following inconsistencies:

- The emission designations are not consistent throughout the report. It is not clear whether emission designators 2M50G1F, 2M50G7D or 3M70G1D, 3M70G1F were coordinated
- The emission data power densities are below the values requested in item 49 of Schedule B.
- The report indicates that it was submitted to all coordinators on May 3, 2011,<sup>11</sup> but the data attach to the report is dated 4/29/11.<sup>12</sup> This makes it appear that the report submitted for this application had the wrong data attachment.

Finally, we request clarification regarding Christian Television's proposed point of contact: Intelsat-16. In response to question 22 of FCC Form 312, Christian Television indicates that it seeks to operate with "non-U.S. licensed satellites." In other parts of its application, however, Christian Television lists Intelsat-16 as its intended point of communication. Our records show

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<sup>6</sup>  $EIRP = 10 \log(\text{max. input power proposed}) + \text{Transmit antenna Gain proposed}$   
 $= 10 * \log(19 \text{ W}) + 45.9 = 58.68 \text{ dBW.}$

<sup>7</sup> See 47 C.F.R. § 2.201.

<sup>8</sup> See 47 C.F.R. §§ 25.203 and 25.115(c) (2) (iii).

<sup>9</sup> <http://transition.fcc.gov/ib/sd/esa/faq.html#FAQ15>

<sup>10</sup> See SES-LIC-INTRO2012-01343.

<sup>11</sup> See Attachment "Coordination report" to SES-LIC-20120531-00484 page 5.

<sup>12</sup> *Id* page 6.

that Intelsat-16 is a United States licensed satellite, call sign S2750, authorized to operate only in the Ku/extended Ku-bands and not the conventional C-band.

Accordingly, pursuant to Section 25.112 (a) (1) of the Commission's rules<sup>13</sup>, and Section 0.261 of the Commission's rules on delegations of authority<sup>14</sup>, we dismiss Christian Television's application.

Sincerely,

Paul E. Blais  
Chief, Systems Analysis Branch  
Satellite Division  
International Bureau

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<sup>13</sup> See 47 C.F.R. § 25.112(a) (1).

<sup>14</sup> See 47 C.F.R. § 0.261.