



Federal Communications Commission
Washington, D.C. 20554

May 28, 2013

DA 13-1217

Mr. Junan Gibson
CNN America, Inc.
One CNN Center
Atlanta, GA 30303
junan.gibson@turner.com

Call Sign: E130084
File No.: SES-LIC-20130425-00342

Dear Mr. Gibson:

On April 25, 2013, CNN America, Inc. (CNN) filed the above-captioned application for a new temporary-fixed earth station license to operate in the 13.75-14.5 GHz frequency band with "ALSAT" as the point of communication. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss the application as defective, without prejudice to re-filing.¹

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.² For the reason set forth below, we find the application of CNN unacceptable for filing.

In item 21 of Schedule B, CNN lists "ALSAT" as a proposed point of communication. Authorizations to communicate with ALSAT may be granted only in cases where the earth station is eligible for "routine processing".³ The routine processing criteria for an earth station communicating in Ku-band frequencies are specified in Section 25.212(c) of the Commission's rules.⁴ The 13.75-14.0 GHz frequency band is not authorized for routine licensing. Because only earth stations that meet routine licensing criteria may be

¹ If CNN re-files an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. *See* 47 C.F.R. § 1.1111(d).

² 47 C.F.R. § 25.112 (a).

³ *See* 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, IB Docket No. 96-111, First Order on Reconsideration, 15 FCC Rcd 7207 (1999), at 7213 ¶13 (stating that licenses for "routine" earth stations providing fixed-satellite service in the conventional C-band or conventional Ku-band may specify "ALSAT" as authorized points of communication, and noting that a "routine" earth station is one that operates consistently with the technical requirements of Part 25).

⁴ 47 C.F.R. § 25.212 (c).

granted ALSAT as a point of communication, CNN's application is internally inconsistent and does not substantially comply with the Commission's rules.

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, 47 C.F.R. §0.261, we dismiss the application without prejudice to re-filing.⁵

Sincerely,

Paul Blais
Chief, Systems Analysis Branch
Satellite Division
International Bureau

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⁵ Only those fixed-satellite service earth stations that operate in the conventional Ku-band frequencies of 11.7-12.2 GHz or 14.0-14.5 GHz frequency bands can request ALSAT-designated satellites as point of communications.