



Federal Communications Commission
Washington, D.C. 20554

August 13, 2013

DA 13-1748

Ms. Anisa A. Latif
New Cingular Wireless PCS, LLC
1120 20th Street, NW
Suite 1000
Washington, DC 20036

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Call Sign: E120228
File No.: SES-MOD-20130715-00586

Dear Ms. Latif:

On July 15, 2013, New Cingular Wireless PCS, LLC (New Cingular Wireless) filed the above-captioned application to add 100 Raysat antennas to its Fixed-Satellite Service VSAT network authorization. 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 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. The deficiencies in New Cingular's application are as follows:

- New Cingular Wireless lists the Total EIRP for all carriers in item E40 of Schedule B to Form 312 as 41.7 dBW. This value is inconsistent with the value of 6 Watts provided for the Total input power at antenna flange listed in item E38. Based on a Total input power at antenna flange of 6 Watts, we calculate that the Total EIRP for all carriers should be 37.78 dBW, not 41.7 dBW.²

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

² Total EIRP for all carriers (dBW) = $10 \log_{10}(\text{total input power at antenna flange}) + \text{antenna transmit gain}$. Therefore, Total EIRP for all carriers (dBW) = $10 \log_{10}(6W) + 30.0 \text{ dBi} = 37.78 \text{ dBW}$. We also note that if the application is re-filed with a corrected Total EIRP for all carriers, items E48 and E49 of Schedule B must be corrected to correspond with the correct Total EIRP for all carriers.

- New Cingular Wireless did not submit a radiation hazard study, as required by the underlined text included in item 28 of Form 312 and Section 1.1307(b) of the Commission's rules, 47 C.F.R. § 1.1307(b).

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 New Cingular Wireless's application without prejudice to re-filing.

Sincerely,

Paul E. Blais
Chief, Systems Analysis Branch
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International Bureau

cc: Michael P. Goggin
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