



Federal Communications Commission
Washington, D.C. 20554

DA 13-1973

September 24, 2013

Mr. Enrique Amezcua
X2nSat
1310 Redwood Way
Petaluma, CA 94954

enrique@x2nsat.com

Call Sign: E130177
File No.: SES-LIC-20130903-00775

Dear Mr. Amezcua:

On September 3, 2013, X2nSat filed the above-captioned application for a new VSAT network that includes a fixed earth station, located in Petaluma, CA, and three types of remote earth stations.¹ All earth stations would access the SES-2 (Call Sign S2826) satellite at the 87° W.L. orbital location, from points within CONUS, Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands in the 11.7-12.2 GHz (space-to-Earth) and 14.0-14.5 GHz (Earth-to-space) frequency bands. We dismiss the application without prejudice to re-filing.²

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.³ For the reason set forth below, we find the application of X2nSat is incomplete.

X2nSat did not provide radiation hazard studies for all types of earth stations that it requested in its application. This requirement is stated in FCC Form 312, item 28 and by Section 1.1307(b) of the Commission's rules.⁴

Though not a basis for dismissal, we request X2nSat provide, pursuant to Section 25.111(a) of the Commission's rules, a demonstration that the Newtec, model MDM2200, 0.75-meter antenna is compliant with Sections 25.209(a) and (b) and 25.132 of the Commission's rules.⁵

If X2nSat cannot demonstrate compliance with Section 25.209(a) and (b), then X2nSat must either submit the certifications listed in Section 25.220(d)(1)(i-iv) of the Commission's rules, or,

¹ The three types of remote antennas are: 1.8-meter Skyware Global antennas; 1.2-meter Skyware Global antennas, and 0.75-meter Newtec model MDM2200 antennas.

² If X2nSat re-files an application identical to the application dismissed, with the exception of supplying the corrected information, it need not pay an application fee. *See* 47 C.F.R. § 1.1111(d).

³ 47 C.F.R. § 25.112(a).

⁴ 47 C.F.R. § 1.1307(b).

⁵ 47 C.F.R. § 25.111(a); 47 C.F.R. § § 25.209(a) and (b); 47 C.F.R. § 25.132.

pursuant to the procedures set forth in the Part 25 Earth Station Fifth Report and Order,⁶ X2nSat may cite the IBFS File Number and the call sign of a specific application in which that type of antenna has been previously approved.⁷ Please note that the Commission maintains a list of approved non-routine antennas at <http://transition.fcc.gov/ib/sd/nresa/#>.

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 X2nSat's application without prejudice to re-filing.

Sincerely,

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

⁶ *Fifth Report and Order*, 20 FCC Rcd at 5666 (para. 59)

⁷ 47 C.F.R. § 25.220(d)(1)(i-iv).0