



Federal Communications Commission  
Washington, D.C. 20554

April 18, 2013

DA 13-784

Ms. Carolyn Blasko  
Sure Shot Transmissions, Inc.  
P.O. Box 489  
10314 Main Street  
New Middletown, OH 44442-0489

Call Sign: E940167  
File No.: SES-MOD-20130201-00146

Dear Ms. Blasko:

On February 1, 2013, Sure Shot Transmissions, Inc. (Sure Shot) filed the above-captioned application to modify its current temporary fixed earth station license to (1) change the technical characteristics of its antenna, and (2) add the use of frequencies in the 10.95-12.75 GHz (space-to-Earth) and 13.75-14.5 GHz (Earth-to-space) frequency bands. For the reasons explained below, we dismiss the application without prejudice to re-filing.<sup>1</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.<sup>2</sup> For the reasons stated below, Sure Shot's application is inconsistent, incomplete or otherwise does not substantially comply with the Commission's rules.

- Sure Shot's response in item E21 of the Schedule B to FCC Form 312 states that the nature of service is "Mobile Satellite," but states in item E25 that the class of station is a "temporary fixed earth station." Sure Shot's statements in items E21 and E25 are inconsistent, because temporary fixed earth stations operate in the Fixed-Satellite Service, not the Mobile Satellite service.<sup>3</sup>
- Sure Shot's specification of "ALSAT" as a point of communication does not comply with the Commission's rules.<sup>4</sup> Authorizations to communicate with

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<sup>1</sup> If Sure Shot Transmissions, Inc. re-files 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>2</sup> 47 C.F.R. § 25.112(a).

<sup>3</sup> 47 C.F.R. §25.277 (a).

<sup>4</sup> See Item E21 of Schedule B, requesting ALSAT as the point of communication.

ALSAT may be granted only in cases where the earth station is eligible for “routine processing.”<sup>5</sup> The routine processing criteria for earth station communicating in Ku-band frequencies are specified in Section 25.212(c) of the Commission’s rules.<sup>6</sup> Pursuant to Section 25.212(c), routine processing applies only to stations requesting operations in the 14.0–14.5 GHz (Earth-to-space) and 11.7–12.2 GHz (space-to-Earth) frequency bands, with antennas 1.2 meters or larger in diameter, operating with a maximum input power density of -14 dBw/4kHz. Because Sure Shot’s proposed operations do not qualify for “routine processing” under Section 25.212(c), Sure Shot must identify specific satellites as proposed points of communication or demonstrate that the proposed operation of its earth station meets the off-axis EIRP criteria for routine licensing that is specified in Section 25.218(e)-(h) of the Commission’s rules.<sup>7</sup> The demonstration must conform to the requirements established in Section 25.115(h) of the Commission’s rules.<sup>8</sup> Also, applications that do not meet the EIRP power density levels set forth in Section 25.212(c) must comply with the procedures set forth in Section 25.220(d)(1) for non-conforming transmit/receive earth stations, including the submission of necessary certifications prior to the Commission accepting the application for public notice.<sup>9</sup>

- Sure Shot’s statement, in item E18 of the Schedule B, that its application does not require frequency coordination is incorrect. Section 25.203(c) of the Commission’s rules requires that all earth station applicants must complete frequency coordination if they intend to operate in frequency bands shared with terrestrial services on a co-primary basis.<sup>10</sup> The 10.95-12.75 GHz and 13.75-14.00 GHz frequency bands specified in Sure Shot’s application are shared on a co-primary basis with terrestrial services.<sup>11</sup> Because Sure Shot’s application contains neither a frequency coordination report nor a statement acknowledging its coordination responsibilities,<sup>12</sup> it is incomplete as filed.

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<sup>5</sup> 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).

<sup>6</sup> 47 C.F.R. § 25.212.

<sup>7</sup> 47 C.F.R. § 25.218(e)-(h).

<sup>8</sup> 47 C.F.R. § 25.115(h).

<sup>9</sup> 47 C.F.R. § 25.220(d)(1).

<sup>10</sup> 47 C.F.R. § 25.203(c).

<sup>11</sup> 47 C.F.R. § 2.106 (Table of Frequency Allocations).

<sup>12</sup> 47 C.F.R. § 25.277(f)(2) (stating that when the initial location of a temporary fixed earth station’s operation is not known at the time the application is filed, the applicant must submit a statement acknowledging its coordination responsibilities).

- Sure Shot did not provide information required for items E51-54, E57, and E59 of Schedule B for the 13.75-14.50 GHz frequency band.

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 delegation of authority, 47 C.F.R. § 0.261, we dismiss Sure Shot's application, without prejudice to re-filing.

Sincerely,

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