



Federal Communications Commission  
Washington, D.C. 20554

July 27, 2015

DA 15-864

Mr. Adam Krinsky  
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Call Sign: E150095  
File No.: SES-LIC-20150616-00357

Dear Mr. Krinsky:

On June 16, 2015, Higher Ground LLC filed the above-captioned application for a license to operate 50,000 mobile earth terminals for consumer-based text messaging/light email and Internet of Things communications in the United States. The application requested earth station communications with Permitted List satellites in the 5925-6425 (Earth-to-space) and 3700-4200 MHz (space-to-Earth) frequency bands using a 0.07 meter antenna. Pursuant to Section 25.112(a)(2), we dismiss the application in part as defective.

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 does not substantially comply with the Commission's rules. The deficiency is as follows:

- Authorizations to communicate with Permitted List satellites may be granted only in cases where the earth station is eligible for "routine processing."<sup>1</sup> The requested earth stations do not meet the routine processing criteria specified in Section 25.212(d) of the Commission's rules, 47 C.F.R. § 25.212(d).<sup>2</sup>

The narrative portion of the application specifically identifies three satellites that also are on the Permitted List: Galaxy 3C at 95.05° W.L., Galaxy 12 at 129° W.L., and Galaxy 19 at 97° W.L. Accordingly, we are dismissing the application insofar as it requests points of communication other than those three satellites.

Though not a reason for partial dismissal please respond to the following:

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<sup>1</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.

<sup>2</sup> The conventional C-band encompass the 5925-6425 MHz (Earth-to-space) and 3700-4200 MHz (space-to-Earth) frequency bands.

1. Please provide a representative depiction of the SatPaq terminal in order to assist in analyzing the radiation hazard assessment.
2. Please provide any test results supporting the effectiveness of using the ULS based fixed station location data and Higher Ground LLC SatPaq terminal operations logged by the remote control facilities.
3. Higher Ground LLC identified the SatPaq terminal class of station as a Mobile Earth Terminal (MET) in Item 25 of Form 312. Although the application requests waiver of Note 6 to 47 C.F.R. § 101.147(a), which prohibits assignment of the 5925-6425 MHz band to mobile earth stations, we also note that the requested frequency bands are not allocated for mobile satellite service in the Table of Frequency Allocations of the Commission rules, Section 2.106, 47 C.F.R. §2.106. See 47 C.F.R. §25.112 (a)(2). Please indicate whether Higher Ground also seeks waiver of this rule.
4. Please provide a 24/7 point of contact for resolution of any possible interference issues.

In light of the above, pursuant to Section 25.112(a) of the Commission's rules, 47 C.F.R. § 25.112(a) and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss the application in part. Please provide responses to the requests for information in this letter by **August 28, 2015**.

Sincerely,

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