



**Federal Communications Commission
Washington, D.C. 20554**

DA 12-110

January 31, 2012

Mr. Donald M. Jansky
Jansky-Barmat Telecommunications, Inc.
1120 19th Street, N.W.
Washington, D.C. 20036-3614

Re: Hispamar Satellite S.A.
IBFS File No. SAT-LOA-20111223-00249
Call Sign: S2853

Dear Mr. Jansky:

On December 23, 2011, Hispamar Satellite S.A. (Hispamar) filed the above-captioned application regarding the Amazonas-3 satellite at 61° W.L., which Hispamar states is licensed by Brazil.¹ For reasons discussed below, we dismiss the application as defective, without prejudice to refileing.

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return as unacceptable for filing, any space station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. Hispamar's application consists solely of a Form 312 and does not provide any information about the space station's technical operations, as required by Section 25.114 of the Commission's rules, 47 C.F.R. § 25.114. This technical information must be provided in the form of a Schedule S and applicable narrative statements. Thus, the application is incomplete.

Additionally, Hispamar's application contains inconsistent information regarding the type of application being filed. Hispamar checks "Application for License of New Station" on item 17.b. of FCC Form 312, which indicates a request for a U.S. license for the operation of Amazonas-3. In item 43 of the Form 312, however, Hispamar describes its application as a request to add Amazonas-3 to the Commission's Permitted Space Station List to "allow all Ku-band earth stations to uplink to the satellite in the conventional Ku-band Ka band [*sic*] frequencies." This request assumes that the Amazonas-3 space station is licensed by another administration and is not seeking a U.S. license. Therefore, we cannot determine the licensing administration for Amazonas-3. Further, in item 24, FCC Form 312, Hispamar indicates that the satellite operates in the C-band (4/6 GHz), the Ku-band (12/14 GHz), and in "other" bands, which

¹ Hispamar Application, Form 312 at item 42.b.

are not specified in an attachment as required. Thus, we cannot determine the frequency bands on which Hispamar proposes to operate.²

For the reasons set forth above, 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 the Hispamar's application without prejudice to refile.

Sincerely,



Robert G. Nelson
Chief, Satellite Division
International Bureau

² If Hispamar re-files and intends to add Amazonas-3 to the Permitted Space Station List, it should check, "Petition for Declaratory Ruling to be Added to the Permitted List" (item 17.b.12) on Form 312, and not "Application for License of New Station" (item 17.b.1). However, if Hispamar seeks a U.S. license for Amazonas-3, in addition to the Form 312 and attachments, it must also submit a Form 159 and appropriate filing fee, which is U.S. \$115,990 for an application to launch and operate a geostationary space station. See 47 C.F.R. § 1.1107.