



International Bureau

Federal Communications Commission
Washington, DC 20554

DA 12-426

March 16, 2012

Mr. William M. Wiltshire, Esq.
Wiltshire & Grannis LLP
1200 18th Street, NW Suite 1200
Washington, D.C. 20036

Re: DIRECTV Enterprises, LLC
IBFS File No. SAT-LOA-20120228-00024 - Call Sign: S2855
IBFS File No. SAT-LOA-20120228-00025 - Call Sign: S2856
IBFS File No. SAT-LOA-20120228-00026 - Call Sign: S2857
IBFS File No. SAT-LOA-20120228-00027 - Call Sign: S2858
IBFS File No. SAT-LOA-20120228-00028 - Call Sign: S2859
IBFS File No. SAT-LOA-20120228-00029 - Call Sign: S2860

Dear Mr. Wiltshire:

On February 28, 2012, DIRECTV Enterprises, LLC (DIRECTV) filed the six above-captioned applications. Each application seeks authority to construct, launch, and operate the DIRECTV KU-79W space station at the 79.0° W.L. orbital location. For reasons discussed below, we dismiss all six applications without prejudice to refiling.

On February 24, 2012, the Commission released a *Public Notice* making the 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 11.7-12.2 GHz (space-to-Earth) and 14.0-14.5 GHz (Earth-to-space) frequency bands at the 79° W.L. orbital location available for reassignment pursuant to the Commission's first-come, first-served licensing process effective 2:00 p.m. EST on Tuesday, February 28, 2012.¹

DIRECTV filed the first four of the above-captioned applications, relating to Call Signs S2855, S2856, S2857, and S2858, prior to 2:00 p.m. EST on Tuesday, February 28, 2012.² Accordingly, we dismiss these four applications as premature.

In addition, we dismiss the other two applications, relating to Call Signs S2859 and S2860, for two reasons. First, Section 1.100010(e)(4) of the Commission's rules, 47 C.F.R. § 1.100010(e)(4), requires applicants to pay the prescribed application fee within 14 calendar days of the date the

¹ Policy Branch Information, Actions Taken, *Public Notice*, Report No. SAT-00848, DA No. 12-268 (rel. Feb. 24, 2012) ("Applications filed prior to this date and time will be dismissed as premature without prejudice to refiling.").

² The filing times for these four applications ranged from 1:55:01:770 p.m. to 1:59:59:570 p.m. on February 28, 2012.

application is filed in the International Bureau Filing System (IBFS). If payment is not received within 14 days, the rule requires us to dismiss the application. As of the date of this letter, which is 17 days after DIRECTV filed the applications, there is no record in IBFS that DIRECTV has paid the required application fees. Second, 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. The applications relating to Call Signs S2859 and S2860 contain inconsistent information regarding the type of application being filed and the orbital location requested. The narratives for these two applications describe a Ku-band fixed-satellite service space station at the 79° W.L. orbital location, but the Schedule S in the two applications describes a Ka-band fixed-satellite service space station at the 97° W.L. orbital location. Thus, we cannot determine the orbital location or frequency bands on which DIRECTV proposes to operate. Accordingly, we dismiss the applications relating to Call Signs S2859 and S2860 as defective.

For the reasons set forth above, pursuant to Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss all six applications without prejudice to refiling.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Nelson', followed by a long horizontal line extending to the right.

Robert G. Nelson
Chief, Satellite Division
International Bureau