



Federal Communications Commission
Washington, D.C. 20554

DA 08-2730

December 18, 2008

Ms. Diane Cornell
Inmarsat Hawaii Inc.
1101 Connecticut Avenue NW
Suite 1225
Washington, DC 20036

Re: Call Signs E080059 (IBFS File Nos. SES-LIC-20080306-00242; SES-AMD-20080829-01131; SES-AMD-20080916-01213; SES-AMD-20080307-00252) and KA25 (IBFS File Nos. SES-MFS-20080228-00207, SES-AFS-20080410-00448, SES-AFS-20080915-01200)

Dear Ms. Cornell:

On February 28, 2008, Inmarsat Hawaii Inc. (Inmarsat Hawaii) filed an application to modify an earth station license for call sign KA25 in Paumalu, HI. On March 6, 2008, Inmarsat Hawaii filed an application for an earth station license for two 16.4 meter antennas, also in Paumalu, HI. The above-captioned applications seek to operate in portions of the L-¹ and C-bands.² The proposed earth stations will provide feeder link and telemetry, tracking & command (TT&C) functions to the Inmarsat 4F1 satellite at the 143.5° East Longitude (E.L.) orbital location and the Inmarsat 4F3 satellite at the 97.65° West Longitude (W.L.) orbital location. For the reason discussed below, we dismiss, without prejudice to refile, the portions of the above captioned applications that seek to conduct TT&C functions in the C-band.

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 is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. With regard to its proposed TT&C operations in the C-band, Inmarsat Hawaii's applications do not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiency is as follows:

The Inmarsat-4F1 and -4F3 satellites have service links for mobile-satellite service in the 1525-1559 MHz band (space-to-Earth) and 1626.5-1660.5 MHz (Earth-to-space), feeder link services in the 3600-3700 MHz band (space-to-Earth) and 6425-6575 MHz band (Earth-to-space), and

¹ 1525-1559 and 1626.5-1660.5 MHz bands for call sign KA25. Inmarsat Hawaii seeks authority to operate Automatic Frequency Compensation (AFC) pilot carriers in the L-bands. It does not seek authority to operate L-band links to and from user terminals (i.e., the service links).

² 3600-3700, 3945-3955, 6338-6342, and 6425-6575 MHz bands.

TT&C functions in the 3945-3955 and 6338-6342 MHz bands. Section 25.202(g) of the Commission's rules, 47 C.F.R. § 25.202(g), requires that satellite TT&C functions for U.S. domestic satellites be conducted at either or both edges of the allocated bands, i.e., the edges of the 1525-1559 and 1626.5-1660.5 MHz bands or the edges of the 3600-3700 and 6425-6575 MHz bands. In the application before us now, Inmarsat Hawaii proposes to perform TT&C functions at its Paumalu earth stations in the center of conventional C-band frequencies, instead of at the edges of its service or feeder link bands.³ Inmarsat Hawaii did not request a waiver of Section 25.202(g) as part of its applications for its Paumalu earth stations. On this basis, we dismiss those portions of Inmarsat Hawaii's applications that pertain to its request to operate TT&C from the Paumalu, HI, earth stations in portions of the C-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 delegations of authority, 47 C.F.R. §0.261, we dismiss, without prejudice to refile, the request to use the 3945-3955 and 6438-6442 MHz band in both applications.⁴

Sincerely,



Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division
International Bureau

³ Specifically, Inmarsat Hawaii requests authority to conduct TT&C functions in the 3945-3955 and 6338-6342 MHz bands.

⁴ If Inmarsat Hawaii refiles an application identical to the ones dismissed, with the exception of supplying the missing information, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).