

Explanation Regarding Request for *Nunc Pro Tunc* Processing

On behalf of NYT Management Services, Inc., (“NYT”), we hereby resubmit the instant application seeking Commission consent to the *nunc pro tunc* assignment of license for earth station E070084 from NYT to LDB Media, LLC (“LDB”).

On February 26, 2009, the Sarasota Herald Division of NYT sold the assets of the operation of the cable news channel SNN 6 to LDB. As part of that transaction, the SNG truck used by the station was included as part of the transaction. NYT recently informed counsel of the transaction and the fact that an application to assign the earth station at the time of the sale had inadvertently not been submitted. This application, therefore, seeks Commission consent to the assignment of E070084 to LDB on a *nunc pro tunc* basis.

On May 2, 2011, the parties submitted this application, noting that Questions No. 29-44 were answered with regard to NYT, as directed by the FCC staff. By letter dated June 1, 2011, the International Bureau dismissed the application with prejudice. (*See* attached letter.) The parties are resubmitting the application with Questions No. 29-44 answered with respect to LDB.



Federal Communications Commission
Washington, D.C. 20554

DA 11-979

June 1, 2011

M. Anne Swanson
Dow Lohnes PLLC
1200 New Hampshire Avenue NW
Washington, D.C. 20036

Re: File No.: SES-ASG-20110502-00544

Dear Ms. Swanson:

On May 2, 2011, NYT Management Services, Inc. and LDB Media LLC filed the referenced application for assignment of a temporary fixed earth station, call sign E070084, from NYT Management Service, Inc., to LDB Media LLC. For the reason stated below, we dismiss the application as defective without prejudice to re-filing.¹

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. NYT Management Services, Inc.'s application is not substantially complete, which renders it unacceptable and subject to dismissal. The deficiency is as follows:

The application indicates that Question Nos. 29-44 of the main form were answered with respect to NYT Management Services, Inc. The instructions to form 312 indicate, however, that the main form should be completed by the prospective licensee in the case of an assignment. Because the application does not include required information concerning the prospective assignee, LDB Media LLC, it is not substantially complete.

In light of the 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 referenced application without prejudice to re-filing. Any such re-filing should be completed by [30 days following date of the letter].

Sincerely,

Robert G. Nelson
Chief, Satellite Division
International Bureau

¹ If NYT Management Service, Inc. and LDB Media LLC re-file an application that supplies the missing information within 30 days, they need not submit an application fee. See 47 C.F.R. §1.1111(d).