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## VIA HAND DELIVERY

May 13, 2004.

**MAY 13 2004**  
Satellite and  
Radiocommunications Division  
International Bureau

**RECEIVED**

MAY 14 2004

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
c/o Natek, Inc.  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, DC 20002

Re: SWE-DISH Satellite Communications, Inc.  
Earth Station Application, FCC File No. SES-AMD-20040116-00057,  
Amending FCC File No. SES-LIC-20030910-01236

Dear Sir or Madam:

Pursuant to Section 25.154 of the Commission's Rules, and FCC Public Notice No. SES-00595, attached please find an original and (5) five copies of the Comments of Avl Technologies, Inc, on the Amended Application of SWE-DISH Satellite Communications Systems, Inc. a subsidiary of SWE-DISH Satellite Systems AB, of Sweden.

Best regards,



William K. Coulter

Enclosures

# AvL TECHNOLOGIES

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Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
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236 Massachusetts Avenue, N.E.  
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Earth Station Application, FCC File No. SES-AMD-20040116-00057,  
amending FCC File No. SES-LIC-20030910-01236

Dear Ms. Dortch:

AvL-Technologies, Inc. ("AvL") herein provides the following Supplemental Comments in response to the Commission's Public Notice Report No. SES 00595, dated April 14, 2004, with respect to the above-referenced supplemented earth station application of SWE-DISH Satellite Communications, Inc. (SWE-DISH) ("Application").<sup>1</sup>

In the Supplement to Record, of January 12, 2004, SWE-DISH enclosed, for the record, additional information that signifies that they now recognize the FCC's technical requirements for 2° satellite spacing and that the FCC's rules and regulations are more stringent than that of other governing bodies, therefore, requiring new and different technical performance specifications than originally considered by SWE-DISH when designing their IPT Suitcase antenna. The addition of new affidavits by SWE-DISH from its space segment providers and its adjacent space segment provider (the "Coordination Letters"), indicating that, "with the submission of acceptable transmission plans", these providers do not believe that the proposed operations by SWE-DISH would result in unacceptable interference into their specific satellites, is an indication of this recognition. Based on this additional information submitted, AvL does not oppose issuing a "non-conforming antenna license" to SWE-DISH for the single "IPT Satellite

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<sup>1</sup> Opposition and Response of SWE-DISH Satellite Communications, Inc., FCC File No. SES-LIC-20030910-01236 (Nov. 6, 2003)("Opposition"). Tripoint filed Comments to the Application on October 24, 2003. *See* Comments of Tripoint, FCC File No. SES-LIC-20030910-01236 (Oct. 24, 2003)("Tripoint Comments").

AvL notes that the Public Notice No. SES-0059 incorrectly notes "ALSAT" as an intended "Point" of communications, as this is not supported by the Application or Amendment, and is subject to a separate Petition, AvL defers to the prior Petition and incorporates it herein by reference.

Terminal Antenna” and the specifically identified satellites for which affidavits have been submitted and described in its Application, based on the conditions noted below.

Prior to addressing the specific conditions, AvL would like to address again, for the record, its generic concerns already a matter of record in this amended file, amplified by the Coordination Letters. AvL would like to note that these concerns are not directly toward SWE-DISH but rather toward an industry recognition of the potential increase in satellite commerce using smaller than 1.2M antennas. AvL has an interest in promoting this potential, but in doing so without increasing satellite interference levels or incidents because of these smaller than 1.2M antennas. AvL Technologies does not oppose issuing a license for quantity one IPT Satellite Antenna System to Swe-Dish for specifically coordinated satellites, as noted above, because of technical reasons if:

- 1) The unit used in the USA meets 29-25log $\Theta$  for 14.0-14.5 GHz, as required by the FCC, as opposed to units produced, used and sold by SWE-DISH elsewhere under the IPT identification that only meet 32-29log $\Theta$ .
- 2) The major axis is aligned with the orbital arc, as required by the FCC, for USA satellite antenna manufacturers of similar elliptical shaped antennas. We note the existing FCC requirements of license SES-MOD-20010502-00844 paragraph 2482 as appropriate.
- 3) Link budgets approved by the satellite operators, and forming the basis of Affidavits, use the 38.4dBi gain at 14.25 GHz as stated in their application.
- 4) The transmit power input to the antenna flange never exceeds -14dBw/4kHz, as allowed by the FCC.

Because the IPT Suitcase units can be operated without tilting the case for major axis alignment with the orbital arc and excessive power is built-in that can greatly exceed the -14dBw/4kHz, AvL recommends that a trained technician, of similar experience as required by the FCC for installation of fixed earth station antennas of similar aperture size of elliptical shape, be required to operate the IPT Suitcase until and unless automatic safeguards can be implemented to avoid accidental adjacent satellite interference which will be detrimental to the interests of all parties attempting to address this important market.

Regards,



James L. Oliver  
President

cc: Maury J. Mechanick, White & Case, LLP (Counsel to SWE-DISH)  
William K. Coulter, (Counsel to AvL)  
Robert Mansbach (Counsel to Intelsat)  
Joe Godles (Counsel to PanAmSat)  
Marvin Shoemake (Tripoint Global)

CERTIFICATE OF SERVICE

I, Christine L. Zepka, hereby certify that on this 14th day of May 2004, a true and correct copy of the foregoing "AvL Technologies Supplemental Comments" was sent via first class mail to the following parties:

Maury J. Mechanick\*  
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Christine L. Zepka

\* via Hand Delivery