

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

DA 04-2689

August 26, 2004

Robert G. Allen, P.C.
9300 Forest Point Circle
P.O. Box 2126
Manassas, VA 20108

Re: Telco214, Inc. ("Telco214")
File No: SES-LIC-20040528-00746

Dear Mr. Allen:

For reasons discussed below, we dismiss the above-captioned application to request authority to operate a fixed earth station located in Melbourne, Florida as defective, without prejudice to re-filing.

A review of the application discloses the following defects:

1. Intelsat 511, 603, and 605, requested as Points of Communication by Telco214, are not at the locations specified in the application. Specifically, Intelsat 511 is no longer operational, Intelsat 603 is currently located at 340 E.L. not at 335.5 E.L., and Intelsat 605 is at 33 E.L. not at 332.5 E.L. Consequently, we are not able to determine the satellites with which Telco214 seeks to communicate. If Telco214 refiles, it must accurately identify the satellites with which it seeks to communicate, the orbit locations at which they are operating or are authorized if not yet launched, and the frequency bands in which operations to and from each satellite will occur.
2. The eastern satellite arc limit of 30 degrees W.L. in the frequency coordination report is inconsistent with the eastern satellite arc limit of 10 degrees W.L. entered in E54 of Schedule B. If Telco214 refiles, the coordination report must be consistent with the range of arc proposed for operation, and it must be current within six months.
3. Values of EIRP density of -15 and -4.1 dBW/4KHz entered for the emissions 2M46G7W and 205KG7W in Items E49 of Schedule B are substantially lower than and inconsistent with the mathematically minimum possible values of 30.9 and 41.7 calculated by subtracting the bandwidth of the emission divided by 4 KHz, after conversion to dB, from the EIRP of 59 dBW. If Telco214 refiles, it must supply values for eirp density consistent with eirp and bandwidth.
4. The value entered for elevation angle east of 26.3 degrees is substantially different from and inconsistent with the value of 8.4 degrees that corresponds to the eastern limit of satellite arc of 10 degrees W.L. and the earth station location of 28 2 29 North Latitude and 80 35 43 West Longitude. If Telco214 refiles, it must supply a value for elevation angle consistent with the limits of the satellite arc and the location

of the earth station.¹

5. The value entered for angle of azimuth east of 111.1 degrees is substantially different from and inconsistent with the value of 99.4 degrees that corresponds to the eastern limit of satellite arc of 10 W and the earth station location of 28 2 29 North Latitude and 80 35 43 West Longitude. If Telco214 refiles, it must supply a value for azimuth consistent with the limits of the satellite arc and the location of the earth station.²

Therefore, pursuant to the Commission's rules on delegated authority, 47 C.F.R. §§ 0.51 and 0.261(a)(4), we find that the above-captioned application is defective. We dismiss this application, without prejudice to refiling.³ If Telco214 refiles, the application is to be complete and consistent, and to contain all required technical parameters and reports applicable to the frequency bands proposed for operation.

In addition, we note that the antenna listed in application SES-LIC-20040528-00746 is 3.7 meters in diameter, that the frequency bands listed were 3700 to 4200 MHz for the downlink, and 5925 to 6425 MHz for the uplink, and that the transmit emissions were digital with bandwidths greater than 200 KHz. While not, in itself, a ground for dismissal, the minimum diameter acceptable for routine processing with the frequency bands and emissions listed is 4.5 meters. If Telco214 refiles, the application must include a showing that off-axis eirp is no greater than that obtained from an antenna conforming to the standards of Part 25, section 25.209(a), operating within the limits for routine processing of Part 25, section 25.212(d), or is to include affidavits from operators of adjacent satellites that they acknowledge and do not object to the proposed operation.

We also note that for the frequency bands listed, 3700 to 4200 MHz for the downlink and 5925 to 6425 MHz for the uplink, ALSAT would include Satmex 5, Solaridad 2, and all Intelsat satellites.

Sincerely,



William Howden
Chief
System Analysis Branch
Satellite Division
International Bureau

cc: Telco214, Inc.

¹ There are a number of web sites that support calculation of elevation angle, given an orbital location and latitude and longitude of an earth station

² There are a number of web sites that support calculation of azimuth, given an orbital location and latitude and longitude of an earth station.

³ If Telco214 refiles an application identical to the one dismissed, with the exception of supplying the defective information, it need not pay a further application fee. See 47 C.F.R. § 1.1109(d).