



International Bureau

Federal Communications Commission
Washington, DC 20554

DA 05-67

January 12, 2005

Kathy L. Cooper
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W.
Washington, DC 20007-5116

Re: Newcom International
Call sign: E040446
File No. SES-LIC-20041130-01757

Dear Ms. Cooper:

On November 30, 2004, Newcom International ("Newcom") filed the above-captioned application for authority to operate a Conventional *C-Band*¹ Earth Station in Miami, Florida. For the reasons discussed below, we dismiss the application as defective, without prejudice to refile.²

A review of the application has revealed several deficiencies within the application:

- (1) Item E38 in the Antenna section of Schedule B of FCC Form 312, Total Input Power at the antenna flange for the proposed 7.3 meter antenna, is left blank;
- (2) Item E43/44 in the Frequency section, the applicant listed the proposed frequency range to be 5925-5929 MHz, 5961- 5988 MHz, 6020- 6047 MHz, 6079-6107 MHz, 6272-6299 MHz, 6331-6359 MHz, 6391- 6425 MHz; however, the corresponding proposed bandwidth listed in the application is 45 MHz which is wider than the limited frequency range proposed;

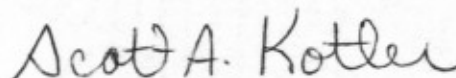
¹ 3700-4200 and 5925-6425 MHz bands.

² Although not a ground for dismissal, we note that the output EIRP value of 68 dBW in Item E40 of your application would yield an input power at the antenna flange of 134.89 W. We cannot reconcile this with the proposed value of 125W for the 4.5 meter antenna. Should Newcom refile its application to show an input power of 134.89W, we request Newcom to resubmit a recalculated RF radiation hazard report to reflect the new value.

(3) the proposed EIRP density value of 44 dBW/4kHz entered for the emissions 128KG7D and 45M0G7W in Item E49 of Schedule B are inconsistent with the possible values of 52.99 dBW/ 4kHz and 27.49 dBW/4 kHz, respectively, from the listed 68 dBW EIRP.

Accordingly, pursuant to Section 25.112(a) (1)³ of the Commission's Rules, for failure to provide complete answers and for providing inconsistent responses, the application is dismissed.⁴

Sincerely,



Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division

cc: Newcom International (Mr. Jaime Dickinson)

³ 47 C.F.R. § 25.112(a)(1). *See also* Echostar Satellite LLC, *Order on Reconsideration*, DA-4056, (released December 27, 2004).

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