



Federal Communications Commission  
Washington, D.C. 20554

International Bureau

DA 05-2265

August 10, 2005

Joseph E. Dunne III  
Scientific Games Racing, L.L.C.  
651 Sawmill Road, Rafter J  
Suite A  
Durango, CO 81303

Re: Call Sign E050151  
File No. SES-LIC-20050525-00656

Call Sign E050152  
File No. SES-LIC-20050525-00657

Dear Mr. Dunne III:

On May 25, 2005, Scientific Games Racing, L.L.C. (Scientific Games) filed the above-captioned applications for authority to operate Temporary-Fixed C-Band<sup>1</sup> Transmit/Receive Earth Stations. For the reasons discussed below, we dismiss both applications as defective, without prejudice to re-filing.<sup>2</sup>

A review of the applications reveals that you did not provide the point of communication as required in form 312, Schedule B for either application. In addition, you did not submit a complete radiation hazard analysis as required by Commission Rules for either application. As a result, both your applications are defective and will be dismissed.

While we dismiss the application on the above basis, we take the opportunity to apprise you of other concerns we have should Scientific Games choose to re-file the application.

Our study reveals that based on the Maximum EIRP Density (Question E49) and Antenna Transmit Gain (E41/42), your Maximum Input Power Density exceeds Section 25.212(d)

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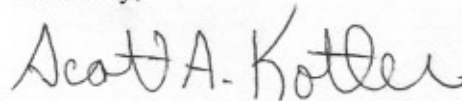
<sup>1</sup> 5925-6425 MHz band.

<sup>2</sup> If Scientific Games Racing, L.L.C., re-files an application identical to the one dismissed, with the exception of supplying the missing information, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).

of the Commission's rules<sup>3</sup> by 2.2 dB for the 36M0G7W (in both applications) and 4M50G7W (in the application regarding Call Sign E050151) emissions. We also note that your applications propose to use 4.1 meter antennas. These antennas are considered "non-routine" under Commission Rules. Therefore, in refiling your applications, you must identify specific satellites as Points of Communication and include certifications from adjacent operators of all satellites located within 6 degrees of your target satellite agreeing to your proposed operations. Alternatively, your application may request ALSAT as Points of Communication so long as you include a 2 degree compliance demonstration as specified in Section 25.209(f)<sup>4</sup> of the Commission's rules and reduce your input power density.

Accordingly, pursuant to Section 25.112(a)(1)<sup>5</sup> 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 your application as defective without prejudice to refiling.

Sincerely,



Scott A. Kotler  
Chief, Systems Analysis Branch  
Satellite Division

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<sup>3</sup> 47 C.F.R. Section 25.212(d)(1).

<sup>4</sup> 47 C.F.R. § 25.209(f).

<sup>5</sup> 47 C.F.R. Section 25.112(a)(1). *See also* Echostar Satellite LLC, *Order on Reconsideration*, DA 04-4056 (released December 27, 2004).