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BY HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: HNS License Sub, LLC Application for Earth
Station License, Fillmore, California;
Call Sign E060383, File No. SES-LIC-20061017-01869**

Dear Ms. Dortch:

HNS License Sub, LLC (“Hughes”), by its attorneys, submits this letter with respect to its application for a new Earth station at Fillmore, CA. *See* Call Sign E060383, File No. SES-LIC-20061017-01869, as amended. The purpose of this letter is to modify one aspect of the information and requests it made in its February 20, 2007 letter in the above-referenced proceeding that provides information responsive to a Commission inquiry.

In its February 20 letter, Hughes withdrew its request for a waiver of the requirement in Section 25.115(e) of the Commission’s Rules, 47 C.F.R. § 25.115(e), to provide measured data regarding off-axis EIRP spectral density for its proposed new Ka-band antenna. Hughes had initially sought a limited and partial waiver of Section 25.115(e) in order to provide actual measurement data on the proposed antenna with its post-grant certification under Section 25.133(b) of the Commission’s Rules of operation in accordance with the license. Hughes Application, File No. SES-LIC-20061017-01869, at Exhibit C. Hughes hereby reinstates its request for waiver of Section 25.115(e). The only response Hughes should have made as a result of its consultation with the Commission was to indicate that it will accept a grant that specifies a lower EIRP than the 68.5 dBW level that Hughes requested in the initial application. Measurement data will still need to be provided as requested in the partial and limited waiver of Section 25.115(e).




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To reiterate, Hughes has shown in its application, as amended, that its nominal power at the flange will be -21.7 dBW/40kHz. Based on the off-axis performance limits in Section 25.138 of the Commission's Rules, 47 C.F.R. § 25.138, an earth station with an antenna that just met the off-axis gain mask in 47 C.F.R. § 25.209 could have a flange power that is no more than -10.63 dBW/40kHz. The carrier transmitted by Hughes will be slightly more than 11 dB below this highest power at the flange that will meet the off-axis performance limits. Under these circumstances, and in order to secure a timely grant of its application, Hughes urges that the Commission authorize it now to operate with an EIRP of 56.3 dBW (11 dB above Hughes' nominal EIRP of 45.3 dBW).

To the extent that actual measurements from the antenna once operational should confirm that operating with an additional 12 dB of EIRP would still be compliant with the off-axis EIRP density limits in Section 25.138, Hughes reserves the right to return and seek a license modification based on such data at the appropriate point in the future. For now, however, it is content to rely on the analysis it has provided to date.

Please do not hesitate to contact the undersigned should you have any questions.

Respectfully submitted,



Stephen D. Baruch
Attorney for HNS License Sub, LLC

cc: Scott Kotler
Trang Nguyen
Steven Doiron, Hughes