



Federal Communications Commission  
Washington, D.C. 20554

DA 12-438

March 21, 2012

Mr. Daniel Mah  
SES Americom, Inc.  
1129 20<sup>th</sup> Street, NW  
Suite 100  
Washington, DC 20036

Re: Call Sign E110104  
IBFS File No. SES-LIC-20110715-00830

Dear Mr. Mah:

This is in reference to the above-captioned application filed by SES Americom, Inc. (SES Americom) on July 15, 2011, to operate a new earth station in Bristow, Virginia.<sup>1</sup> By this letter, we dismiss certain portions of the application without prejudice to refile, as discussed below. We grant the application in all other respects.

We note, initially, that there are no issues related to SES Americom's proposed use of the conventional Ku-band and the extended Ku-band, with the exception of its proposed use of emission designator 1M00F8D.<sup>2</sup> The 1M00F8D emission designator would provide analog telemetry and command (TT&C) in the 14.000-14.005 GHz and the 14.495-14.500 GHz frequency bands with an effective isotropically radiated power (EIRP) density of 55.9 dBW/4kHz. The frequency coordination report SES Americom submitted in its application does not include this emission designator. Rather, the report indicates that only digital emission designator 1M00G7D, with an EIRP density of 49.9 dBW/4kHz, was coordinated. Consequently, we cannot approve the 1M00F8D carrier.

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<sup>1</sup> This application was placed on Public Notice on August 10, 2011. Public Notice, Report No. SES-01371 (Aug. 10, 2011). No comments were filed.

<sup>2</sup> SES Americom proposes to operate in the "conventional" Ku-band frequencies at 11.7-12.2 GHz (space-to-Earth) and 14.0-14.5 GHz (Earth-to-space), and the "extended" Ku-band frequencies at 10.95-11.7 GHz (space-to-Earth) and 13.75-14.0 GHz (Earth-to-space). See Application, Schedule B, Items E43/44 and E50.

In addition, in response to item E50 of FCC Form 312 – Schedule B, SES Americom indicates that the proposed antenna will operate in the 12.25 – 12.75 GHz frequency band.<sup>3</sup> We dismiss this portion of the application.

First, we dismiss that portion of the application in which SES Americom requests authority to receive transmissions in the 12.25-12.5 GHz band. Neither the SES-4 nor NSS-7 space stations with which SES Americom proposes to communicate is capable of operating the 12.25-12.50 GHz band.<sup>4</sup> Further, “ALSAT” is not a permitted point of communication in this band.<sup>5</sup>

Next, we dismiss that portion of the application in which SES Americom proposes to receive transmissions in the 12.5-12.7 GHz band. There is a freeze on filing applications for new DBS satellites in the 12.2-12.7 GHz band.<sup>6</sup> Consequently, we cannot grant any earth station application to access a satellite not currently providing DBS service in the United States in the 12.5-12.7 GHz band, such as NSS-7 and SES-4.<sup>7</sup> We also note that “ALSAT” is not a permitted point of communication in this band.

Last, we dismiss that portion of the application that proposes to receive transmissions in the 12.7-12.75 GHz band. The 12.7-12.75 GHz band is allocated to the Fixed-Satellite Service (Earth-to-space).<sup>8</sup> There is no allocation for a space-to-Earth satellite service in International Telecommunication Union Region 2, which includes the United States, for this band. Further, SES Americom does not request a waiver of the Table of Frequency Allocations to permit this non-conforming use.

Accordingly, pursuant to Section 0.261 of the Commission’s rules on delegated authority, 47 C.F.R. § 0.261, we dismiss, without prejudice, those portions of SES Americom’s

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<sup>3</sup> Although SES Americom does not discuss the 12.25 – 12.75 GHz frequency band in the narrative attachment to its application, we assume that the detailed information in Schedule B with respect to this band constitutes a request to operate on these frequencies.

<sup>4</sup> See *New Skies Satellites B.V. Petition for Declaratory Ruling*, SAT-PPL-20110620-00112 (*Market Access Request*), Narrative at 4.

<sup>5</sup> Only those fixed-satellite service earth stations that operate in the conventional Ku-band frequencies of 11.7-12.2 GHz or 14.0-14.5 GHz can request ALSAT-designated satellites as points of communication. See *In the Matter of Amendment of the Commission’s Regulatory Policies to Allow Non-U.S. Licensed Space Stations to Provide Domestic and International Satellite Service in the United States, First Order on Reconsideration*, 15 FCC Rcd 7207 (1999), at 7213 (para. 13).

<sup>6</sup> See *Direct Broadcast Satellite (DBS) Service Auction Nullified: Commission Sets Forth Refund Procedures For Auction No. 52 Winning Bidders and Adopts a Freeze On All New DBS Service Applications*, Public Notice, FCC 05-213, 20 FCC Rcd 20618 (2005).

<sup>7</sup> We also note that in its *Market Access Request*, New Skies stated it was not seeking authority to operate either NSS-7 or SES-4 in the United States in the 12.5-12.7 GHz band. See *Market Access Request*, Narrative at 4.

<sup>8</sup> 47 C.F.R. § 2.106.

application, IBFS File No. SES-LIC-20110715-00830, that proposes to operate in the 12.25-12.75 GHz frequency band. We also dismiss, without prejudice, that portion of the application that proposes to operate emission designator 1M00F8D. We grant the application in all other respects. The license for this earth station will reflect these findings.

Sincerely,

*Fern J. Garmulsch*  
for Robert G. Nelson  
Chief, Satellite Division  
International Bureau