

April 19, 2021

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Attention: International Bureau

Re: Form 312 Application for New Satellite Earth Station

Dear Ms. Dortch:

Red Dirt Communications, Inc. (“Red Dirt”), pursuant to Sections 25.110(b)(1) and 25.115(a)(1) of the Commission’s Rules,¹ is submitting with this letter an application on Form 312 for new transmit/receive earth station. Red Dirt respectfully requests that the Commission assign call sign E050170 to the new station.

This application is intended to cover the facilities previously licensed under call sign E050170 (the “Station”), whose license inadvertently was allowed to expire.² When Red Dirt realized what had happened, it engaged legal counsel to assist in preparation of this application for the Station and review of its policies related to its regulatory responsibilities.

Please note that despite the failure to file a timely renewal application, Red Dirt has not operated the Station since April 1, 2020, which was prior to the expiration of the Station’s license after having shut down operations during the COVID-19 pandemic.

Red Dirt has historically operated in compliance with the Commission’s Rules. For example, it performs the necessary frequency coordination in operation of its satellite uplink facilities, as required by Section 25.277(c) of the Rules.³ To avoid any future issues involving the Station’s license, Red Dirt is taking corrective measures regarding monitoring of regulatory obligations like

¹ 47 C.F.R. §§ 25.110(b)(1) and 25.115(a)(1).

² In the alternative, Red Dirt would request waiver of Section 25.163(a) and treatment of this application as a reinstatement of the Station’s license, E050170. While business operations were completely shut down as a result of the ongoing COVID-19 crisis, Red Dirt inadvertently allowed the license for the Station to expire. Importantly, Red Dirt has NOT operated the Station since the license was inadvertently allowed to expire. For the reasons set forth herein, in the alternative to grant of a new station license, good cause exists for waiver of Section 25.163(a) and reinstatement of the license. Nevertheless, if the International Bureau determines not to grant the waiver request, it can proceed immediately to grant the application for new facilities. *Cf. In re Bank of America*, 24 FCC Rcd 12583 (Intl. Bur. 2009) (although waiver denied, dismissal was without prejudice to filing for new license).

³ 47 C.F.R. § 25.277(c).

license renewal dates and the Commission's Rules in general.

Red Dirt has separately filed a request for waiver of the Commission's application filing fee for a Form 312 application. A copy of that waiver request has been submitted as a separate exhibit to this application.

If you have any questions concerning this Form 312 application, please contact the Vice President of Red Dirt, Dennis Stacklin at +1-405-269-6759 or dennis@reddirt.tv. You may also contact me at +1-202-871-3772 or stephen.diaz.gavin@rimonlaw.com.

Very truly yours,



Stephen Díaz Gavin
Counsel to Red Dirt Communications, Inc.