



Federal Communications Commission  
Washington, D.C. 20554

DA 07-1093

March 8, 2007

Mr. Keith Fagan  
Telenor Satellite, Inc.  
1101 Wootton Parkway  
10<sup>th</sup> Floor  
Rockville, MD 20852

Re: Call Sign KA313

File No. SES-MOD-20060519-00858  
SES-AMD-20060712-01133  
SES-AMD-20061226-02236  
SES-AMD-20070228-00266

Dear Mr. Fagan:

On May 19, 2006, Telenor Satellite, Inc. (Telenor) filed the above-captioned application to modify its earth station license for Call Sign KA313. The application was amended on July 12, 2006, December 26, 2006, and February 28, 2007. The amended application seeks authority to operate Earth Stations on Vessels (ESVs) in the extended and conventional Ku-bands.<sup>1</sup> The amended application also seeks authority to add antennas and new emission designators to the earth station. For the reasons stated below, we dismiss the application, as amended, as defective without prejudice to refileing.

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, that contains internal inconsistencies, or that does not substantially comply with the Commission's rules. Telenor's application contains several omissions and discrepancies that render it unacceptable and subject to dismissal. These deficiencies are as follows:

Pursuant to the U.S. Table of Frequency Allocations, 47 C.F.R. § 2.106, use of the 12.2-12.7 GHz band is limited to the Broadcast Satellite Service. Telenor proposed to operate in this band, although it does not propose to provide Broadcast Satellite Service. Further, Telenor indicated that its earth station would receive in the 12.7-12.75 GHz band. This band, however, is not allocated for downlink transmissions. Furthermore, the proposed 11.20-11.45 GHz and 12.20-12.75 GHz bands are not allocated for the proposed ESV service. Telenor did not request a waiver of the Table of Frequency Allocations to permit its proposed non-conforming uses.

In addition, Telenor did not submit a Radiation Hazard Analysis as required for each newly added antenna as required in response to Question 28 of Form 312.

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<sup>1</sup> 10.95-11.70, 11.70-12.20, 12.20-12.75, and 14.0-14.5 GHz bands.

While we dismiss the application on the above bases. We take this opportunity to apprise Telenor of an additional issue with its application that it should address if it chooses to refile it. In its technical showing, Telenor did not identify the graphic data submission by model number (e.g. Sel Tel 4003A, 4006, and 4996T) of its proposed antennas. Thus, we are unable to verify that the antennas in the showing are the antennas it proposes to use. Therefore, please reference the antenna model number in any refiled application.

Accordingly, pursuant to Section 25.112(a)(1) 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 the application without prejudice to refiling.<sup>2</sup>

Sincerely,



Scott A. Kotler  
Chief, Systems Analysis Branch  
Satellite Division  
International Bureau

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<sup>2</sup> If Telenor refiles an application identical to the one dismissed, with the exception of supplying the corrected information, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).