



Federal Communications Commission
Washington, D.C. 20554

DA 08-2262

October 9, 2008

Jennifer K.G. Robertson
GCI Communication Corp.
2550 Denali St
Suite 1000
Anchorage, AK 99503-2737

Re: Call Sign E960386
File No. SES-MOD-20080905-01161

Call Sign E960388
File No. SES-MOD-20080905-01160

Dear Ms. Robertson:

On September 5, 2008, GCI Communication, Corp. (GCI) filed the above-captioned applications to modify two earth station licenses to increase the EIRP density per carrier for its 6.1 meter antenna (call sign E960386). In the other modification application, GCI seeks to increase the EIRP density per carrier for its 7.3 meter antenna. The earth stations operate in the Conventional C-band¹ communicating with ALSAT-designated satellites. For the reasons detailed below, we dismiss both applications as defective without prejudice to refiling.²

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, contains internal inconsistencies, or does not substantially comply with the Commission's rules. GCI's applications are incomplete, which renders them unacceptable and subject to dismissal, for the following reasons:

First, in the application for the 6.1 meter antenna, GCI indicates in response to item E49 of Schedule B that it seeks to increase the EIRP density of emissions 36M0G7W and 36M0D7W from 36.28 dBW/4 kHz to 45.35 dBW/4 kHz. In response to question E15 of Schedule B, GCI indicates that the antenna is not compliant with the antenna gain patterns specified in Sections 25.209(a) and (b) of the Commission's rules, 47 C.F.R. §§ 25.209(a) and (b). Section 25.220(b) of the Commission's rules, 47 C.F.R. §§ 25.220(b), requires earth station applicants seeking to use non-compliant antennas to provide the antenna radiation patterns specified in Section

¹ 3700-4200 and 5925-6425 MHz.

² If GCI refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).

25.132(b) of the Commission's rules, 47 C.F.R. § 25.132(b), in their applications. GCI's application included some antenna patterns. It did not, however, include the co-polarized antenna pattern in the elevation plane from 0 to 45 degrees, the co-polarized antenna pattern in the azimuth plane from 0 to +/- 180 degrees, or the cross-polarized pattern in the vertical and horizontal plane from 0 to +/- 9 degrees. In addition, GCI did not provide the required technical demonstration as described in Section 25.220(c)(1) of the Commission's rules, 47 C.F.R. § 25.220(c)(1), or, in the alternative, a certification from the target satellite operator as described in Section 25.220(c)(2) of the Commission's rules, 47 C.F.R. § 25.220(c)(2).

Second, in the modification application for the 7.3 meter antenna, GCI indicates, in response to item E49 of Schedule B, that it seeks to increase the EIRP density of emissions 36M0G7W and 36M0D7W from 37.98 dBW/4 kHz to 45.70 dBW/4 kHz. In response to question E15 of Schedule B, GCI indicates that the antenna is not compliant with the antenna gain patterns specified in Sections 25.209(a) and (b) of the Commission's rules, 47 C.F.R. §§ 25.209(a) and (b). Section 25.220(b) of the Commission's rules, 47 C.F.R. § 25.220(b), requires earth station applicants seeking to use non-compliant antennas to provide antenna radiation patterns specified in Section 25.132(b) of the Commission's rules, 47 C.F.R. § 25.132(b), in their applications. GCI's application included some antenna patterns. It did not, however, include the co-polarized antenna pattern in the elevation plane from 0 to 45 degrees, the co-polarized antenna pattern in the azimuth plane from 0 to +/- 180 degrees, or the cross-polarized pattern in the vertical and horizontal plane from 0 to +/- 9 degrees.

Last, in response to question E18 of Schedule B in both applications, GCI indicates that a frequency coordination report is not required. Section 25.203 of the Commission's rules, 47 C.F.R. § 25.203, however, requires a frequency coordination report in this instance. We recognize that the frequency coordination report submitted by GCI in its prior applications for licenses of these earth stations incorporated the increased power density levels. Nevertheless, because the license applications did not seek authority to operate at the higher levels and the frequency coordination report on file is more six months old, a new frequency coordination report must be submitted.

Please note with respect to any refile, that applications for non-routine antennas must include a Section 25.220(c)(1) technical analysis to be eligible to communicate with ALSAT-designated satellites. A Section 25.220(c)(2) certification will permit the non-compliant earth station to access only those specific satellites to which the certification applies.

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 GCI's applications without prejudice to refile.

Sincerely,



(FOR)

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