



Federal Communications Commission
Washington, D.C. 20554

DA 09-2168

October 2, 2009

Mr. James G. Lovelace
Vizada, Inc.
1101 Wootton Parkway
Rockville, MD 20852

Re: File No. SES-MOD-20090720-00882
File No. SES-STA-20090831-01101

Call Sign: WB36

Dear Mr. Lovelace:

On July 20, 2009, Vizada Inc. (Vizada) filed the above-captioned application to modify its earth station authorization for call sign WB36 to allow Vizada to utilize Ku-band and extended Ku-band frequencies and new emissions for the SBY30/Vertex 9 meter antenna at Southbury to communicate with the Telstar 11N (T11N) satellite at 37.5° W.L. Vizada also filed a request for Special Temporary Authority (STA), file no. SES-STA-20090831-01101, to authorize the operations while the modification application was pending. Among the operations for which authority was requested were digital carriers on frequencies 13.750 to 13.772 GHz and 13.778 to 14.000 GHz, and digital operations from 10.950 to 11.200 GHz, 11.450 to 12.200 GHz and 14.000 to 14.500 GHz. The purpose for the new frequencies (and emissions) is to allow Vizada to utilize the new T11N satellite to provide Ku-band earth station onboard vessel (ESV) service to customers in the T11N footprint.

Section 25.222 of the Commission's rules permits ESV operations only in the 10.950 to 11.200, 11.450 to 11.700, 11.700 to 12.200, and 14.000 to 14.500 GHz bands.¹ However, the both the modification application and the STA request indicate that Vizada seeks to operate in the 13.750 to 13.772 GHz and 13.778 to 14.000 GHz bands. These bands are not allocated for ESV operations. Vizada did not file for a waiver of the Table of Allocations or Section 25.222 of the Commission's Rules. Consequently, we dismiss Vizada's request to operate in the 13.75-14.0 GHz band.

¹ See 47 C.F.R. § 25.222

Accordingly, pursuant to Section 25.112(a)(1)² 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 13.75-14.0 GHz portion of the STA and modification applications as defective, without prejudice to refile. The requests to operate in the 10.950 to 11.200 GHz, 11.450 to 12.200 GHz, and 14.000 to 14.500 GHz frequency bands remain pending before the Commission.

Sincerely,

Kathryn Medley
Chief, Satellite Engineering Branch
Satellite Division
International Bureau

² 47 C.F.R. Section 25.112(a)(1). *See also* Echostar Satellite LLC, *Order on Reconsideration*, DA 04-4056, (released December 27, 2004).