



Federal Communications Commission  
Washington, D.C. 20554

February 20, 2015

DA 15-240

Mr. Bryan Soileau  
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Call Sign: E100084  
File No. SES-MOD-20140331-00200

Mr. Soileau:

On March 31, 2014, Data Technology Solutions (DTS) filed the above-captioned application to modify its Ku-band earth station license. It appears that DTS desires to add two Earth Stations on Vessels (ESV) antennas, Seatel Models 4006 and 6009, and three Very Small Aperture Terminal (VSAT) network antennas, AVL Model MVS960 and the Winegard Models WX1200 and SF840, to communicate in the 14.0-14.5 GHz (Earth-to-space) and 11.7-12.2 GHz (space-to-Earth) frequency bands with the TELSTAR 11N (S2357) satellite operating at the 37.5° W.L. orbital location and with the Permitted List satellites. We dismiss the application without prejudice to re-filing.<sup>1</sup>

Section 25.112(a) of the Commission's rules 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. For the reasons set forth below, we find the DTS's application is unacceptable for filing.

- DTS submitted one Schedule B for operations of all terminals, which is inconsistent with the application requirements of Sections 25.134 and 25.222 of the Commission's rules, 47 C.F.R. § 25.134 and § 25.222. Terminals operating under Section 25.134 should be grouped on one Schedule B and those operating under Section 25.222 should be grouped on another Schedule B to clarify operating area for each terminal type and the remote control point for each terminal type.
- DTS did not specify the remote control points for the new terminals in FCC Form 312, Schedule B, items E61 through E68, as required by Section 25.271(5) of the Commission's rules, 47 C.F.R. § 25.271(5).
- DTS incorrectly specified the site location for its VSAT terminals as US Waterways.

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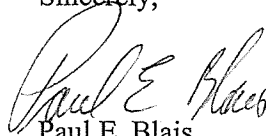
<sup>1</sup> If DTS re-files an application identical to the application dismissed, with the exception of supplying the corrected information, it need not pay an application fee. *See* 47 C.F.R. § 1.1111(d).

- DTS did not demonstrate that the antenna models Seatel 4006 and Seatel 6009 would comply with requirements of Section 25.222 of the Commission's rules, 47 C.F.R. § 25.222. Instead, Data Technologies submitted a demonstration for antenna models Seatel 60 cm and Seatel 75cm.

Though not a basis for dismissal, we also note that pursuant to Section 25.222(c) of the Commission rules, 47 C.F.R. § 25.222 (c), the NTIA has notified the Commission of the commencement TDRSS operations in Blossom Point, MD. As a result the International Bureau issued a public notice requiring coordination of ESV vessels operating in the 14.0-14.2 GHz frequency band within 125 km of Blossom Point.<sup>2</sup> DTS should address this in future filings.

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 DTS's application for a new authorization without prejudice to re-filing.

Sincerely,



Paul E. Blais

Chief, Systems Analysis Branch  
Satellite Division  
International Bureau

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<sup>2</sup> Public Notice, The International Bureau Announces Operational Date For National Aeronautics And Space Administration Tracking And Data Relay Satellite System Earth Station In Blossom Point, Maryland, DA 14-992, July 11, 2014