

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of

Application of United Teleports Inc. to	)	Call Sign E160081
Modify its Existing Fixed Earth Station	)	
License	)	File No.

**APPLICATION TO MODIFY FIXED EARTH STATION LICENSE**

By this application, United Teleports Inc. (“United Teleports”) respectfully seeks modification of its existing fixed earth station license, Call Sign E160081, by adding authority to operate one (1) additional gateway earth station – the 6.5m ASC Signal earth station (the “ASC 6.5m”) – at its teleport facility in Port St. Lucie, Florida (geographic coordinates: 27° 16’ 56.5” N, 80° 28’ 58.6” W). United Teleports seeks to use the ASC 6.5m for uplink-only operations with the Eutelsat 65 West A (“E65WA”) satellite, a non-U.S. licensed geostationary satellite orbit (“GSO”) fixed-satellite service (“FSS”) satellite located at the nominal 65° W.L. orbital location,<sup>1</sup> in the International Telecommunications Union (“ITU”) Appendix 30B C-band uplink frequencies from 6.725-7.025 GHz.

United Teleports will use the gateway to support FSS video distribution service to users in the Caribbean and South America. As discussed herein, grant of the requested authority is consistent with Commission rules and precedent, and will serve the public interest by allowing United Teleports to provide communication services using the E65WA satellite to respond to

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<sup>1</sup> As the Commission is aware, while nominally located at 65° W.L., the E65WA satellite currently is located physically at 65.2° W.L. Should the orbit location of the satellite be adjusted as a result of coordination or other factors, United Teleports will seek appropriate Commission authority to communicate with the E65WA satellite at such new location.

customer demand for gateway uplink capacity. United Teleports seeks to commence operations as soon as practicable.

## **I. BACKGROUND**

The Commission recently granted United Teleports a fixed earth station authorization to operate a 7m gateway in the ITU Appendix 30B Ku-band uplink frequencies at the Port St. Lucie teleport facility,<sup>2</sup> which is the subject of this modification application, as well as an underlying special temporary authorization (“STA”) for the identical operations.<sup>3</sup> Additionally, United Teleports was recently granted authority to operate a number of gateway earth stations in the C-band with Permitted List satellites.<sup>4</sup>

In the instant application, United Teleports seeks to operate the ASC 6.5m – an earth station that has been previously licensed by the Commission for similar gateway operations<sup>5</sup> – with the E65WA satellite in the C-band uplink frequencies from 6.725-7.025 GHz to support United Teleports’ international services in the Caribbean and South America. United Teleports has previously demonstrated to the Commission that E65WA meets the required technical qualifications in compliance with Section 25.137 of the Commission’s Rules, 47 C.F.R. § 25.137,<sup>6</sup> for operations in the Appendix 30B Ku-band uplink at 12.75-13.25 GHz. As demonstrated in this

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<sup>2</sup> See United Teleports Inc., File No. SES-LIC-20160513-00427 (Call Sign E160081).

<sup>3</sup> See United Teleports Inc., File No. SES-STA-20160620-00556 (Call Sign E160081).

<sup>4</sup> See United Teleports Inc., File No. SES-LIC-20161209-00940 (Call Sign E160178).

<sup>5</sup> See SES Americom Inc., File No. SES-MOD-20150123-00113 (Call Sign E000152); The Inspirational Network Inc., File No. SES-LIC-20100420-00461 (Call Sign E100054).

<sup>6</sup> See United Teleports Inc., File No. SES-LIC-20160513-00427 (Call Sign E160081), Technical Appendix and Schedule S.

application, United Teleports will operate the ASC 6.5m with the E65WA satellite in the 6.725-7.025 GHz uplink band consistent with the terms and conditions of its existing license, Commission rules and the provisions of Appendix 30B.

Although the ITU Appendix 30B C-band includes both uplink and downlink frequencies, United Teleports presently only seeks to access the E65WA satellite in the uplink band at 6.725-7.025 GHz. In the interest of completeness, however, United Teleports has provided certain technical information on the ITU Appendix 30B downlink beams in the 4.50-4.80 GHz band. The companion Technical Appendix, FCC Form 312, Schedule B and Schedule S contain relevant information relating to the proposed operations, including antenna and satellite technical parameters and performance information, a radiation hazard analysis and frequency coordination information.

## **II. DISCUSSION**

### **A. Proposed Operations**

The United States Table of Frequency Allocations (“Table of Allocations”), Section 2.106 of the Commission’s Rules, 47 C.F.R. § 2.106, identifies conditions for spectrum use by FSS in the 6.725-7.025 GHz band. The Table of Allocations provides that the 6.725-7.025 GHz band is shared on a co-primary basis with terrestrial fixed service (“FS”) and FSS operations. United Teleports’ proposed operations of the ASC 6.5m in the 6.725-7.025 GHz band are consistent with the Table of Allocations and similarly approved GSO FSS earth stations operating in the band.

United Teleports will operate the ASC 6.5m in accordance with the provisions of Appendix 30B and limit its service to clients in the Caribbean and South America providing video and data distribution services to customers. As noted, there is Commission precedent for United Teleports’ proposed operations. In addition to the subject earth station license authorizing uplink operations in the ITU Appendix 30B Ku-band with E65WA, the Commission has previously authorized use

of the ASC 6.5m in the conventional C-band (*i.e.*, 5.925 – 6.425 GHz band)<sup>7</sup> and United Teleports proposed operations will be fundamentally similar. In fact, United Teleports’ operations are more limited in scope because it only intends to operate the ASC 6.5m in the uplink direction and does not seek to conduct earth station receive operations at the facility. Additionally, United Teleports does not seek any waivers of the Table of Allocations and will limit its operations in the 6.725-7.025 GHz band to support international operations.

United Teleports acknowledges that this uplink frequency band is shared on a co-primary basis with terrestrial systems and coordination with FS licensees is required. Accordingly, United Teleports has worked with Micronet to coordinate the proposed operations and the resulting coordination report reveals all potential issues have been cleared (*i.e.*, there were no unresolved interference objections).<sup>8</sup>

The ASC 6.5m will operate within a fully enclosed courtyard at the Port St. Lucie, Florida, teleport facility and will be inaccessible to the general public. The attached radiofrequency (“RF”) hazard assessment demonstrates that the ASC 6.5m will be operated in accordance with applicable RF exposure limits.

United Teleports anticipates that its operations will be fully compatible with all other co-primary FCC-licensed operations in these frequencies and will present no potential for interference into other users of the 6.725-7.025 GHz uplink band. If United Teleports learns that its operations

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<sup>7</sup> *Supra* n.5.

<sup>8</sup> *See* Technical Appendix, IV. In addition to the original frequency coordination notice dated February 2, 2017, United Teleports provides an updated frequency coordination notice that was sent to affected parties on February 27, 2017. The minor changes – revised antenna gain and emission designators – have no material impact on the parties receiving notification and no responses are required. *See* 47 C.F.R. § 101.103(d)(2)(ix). The updated frequency coordination ensures that United Teleports’ coordinated parameters are consistent with the operations proposed in this application.

are causing harmful interference to other lawfully operating co-primary operations, it will immediately work to eliminate such interference and develop a long-term resolution for such issues.

### **B. E65WA Satellite**

The E65WA satellite (ITU Satellite Network: B-SAT-3R-1), which is authorized for U.S. market access to operate in the ITU Appendix 30B Ku-band uplink frequencies under the subject fixed earth station license, is a Brazilian-licensed GSO FSS satellite nominally positioned at 65° W.L. orbital location. Accordingly, United Teleports has previously demonstrated that the E65WA satellite complies with all applicable Commission requirements for non-U.S. licensed satellites to operate in the United States, including meeting the required technical qualifications in compliance with Section 25.137 of the Commission's Rules, 47 C.F.R. § 25.137,<sup>9</sup> for operations in the 12.75-13.25 GHz band.

Here, United Teleports seeks a limited expansion of its existing earth station operating authority to include use of the 6.725-7.025 GHz to support earth station uplink operations at its Port St. Lucie facility. As demonstrated in the attached Technical Appendix and Schedule S, operation in the 6.725-7.025 GHz band complies with applicable Commission rules. In particular, consistent with Section 25.140(a)(3)(iv) of the Commission's Rules, United Teleports, along with its serving satellite operator, have taken into account the applicable requirements of Appendix 30B of the ITU Radio Regulations and have demonstrated that the proposed uplink-only communications with the E65WA satellite are compatible with other U.S. ITU filings under

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<sup>9</sup> See United Teleports Inc., File No. SES-LIC-20160513-00427 (Call Sign E160081), Technical Appendix and Schedule S.

Appendix 30B.<sup>10</sup> In this connection, United Teleports provides the attached Technical Appendix and Schedule S for required information relating to the technical and operational characteristics of the E65WA satellite in ITU Appendix 30B C-band uplink frequencies. United Teleports also provides the Commission's confirmation with the Brazilian National Telecommunications Agency ("ANATEL") to include the United States in the service area of the E65WA satellite,<sup>11</sup> confirming compatibility with U.S. filings.

### **C. Public Interest**

Grant of this application would serve the public interest because it would allow United Teleports to provide new and expanded communication connectivity and continue to offer U.S. gateway support for international markets and services. Further expanding U.S. market access for the E65WA satellite to include ITU Appendix 30B C-band services in this limited context would also enhance competition in the satellite service marketplace and would enable United Teleports to respond to customer demand using new FSS capacity for international video and data distribution services, thereby enhancing U.S. service provider and U.S. content presence in the international market. These benefits will accrue consistent with Commission rules and policies regarding U.S. earth station access to the 6.725-7.025 GHz band.

### **III. CONCLUSION**

In view of the foregoing, United Teleports respectfully requests modification of its existing fixed earth station license, Call Sign E160081, by adding authority to operate the ASC 6.5m

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<sup>10</sup> United Teleports also demonstrates compliance with two-degree spacing requirements, so there will be no adverse impact on SDARS use of the 6.725-7.025 GHz band at the 101°W orbit location. *See* 47 C.F.R. § 25.214(c)(5).

<sup>11</sup> *See* Technical Appendix, III.

gateway earth station at the Port St. Lucie, Florida teleport using the ITU Appendix 30B C-band uplink frequencies from 6.725-7.025 GHz to communicate with the E65WA satellite.