



UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

RADIO STATION AUTHORIZATION

Name: HNS License Sub, LLC

Call Sign: E170169

Authorization Type: Modification of License

File Number: SES-MOD-20210223-00388

Non Common Carrier

Grant date: 03/01/2021

Expiration Date: 05/15/2035

Nature of Service: Fixed Satellite Service

Class of Station: Fixed Earth Stations

A) Site Location(s)

#	Site ID	Address	Latitude	Longitude	Elevation (Meters)	Special Provisions NAD (Refer to Section H)
1)	1	4202 Coleman Street Bismarck, Burleigh, ND 58503	46°51'7.2"N	100°46'56.7"W	584.95	83

Licensee certifies antenna(s) comply with gain patterns specified in Section 25.209

Subject to the provisions of the Communications Act of 1934, The Communications Satellite Act of 1962, subsequent acts and treaties, and all present and future regulations made by this Commission, and further subject to the conditions and requirements set forth in this license, the grantee is authorized to construct, use and operate the radio facilities described below for radio communications for the term beginning May 15, 2020 (3 AM Eastern Standard Time) and ending May 15, 2035 (3 AM Eastern Standard Time) . The required date of completion of construction and commencement of operation is December 31, 2021 (3 AM Eastern Standard Time) . Grantee must file with the Commission a certification upon completion of construction and commencement of operation.

B) Particulars of Operations

The General Provision 1010 applies to all receiving frequency bands.

The General Provision 1900 applies to all transmitting frequency bands.

For the text of these provisions, refer to Section H.

#	Frequency (MHz)	Polarization Code	Emission	Tx/Rx Mode	Max EIRP /Carrier (dBW)	Max EIRP Density /Carrier (dBW/4kHz)	Associated Antenna	Special Provisions (Refer to Section H)	Modulation/ Services
1)	50400.0000-51400.0000	L,R	470MG7W	Tx	72.70	32.10	1		M-ary PSK outroute
2)	47200.0000-50200.0000	L,R	470MG7W	Tx	72.70	32.10	1		M-ary PSK outroute
3)	40000.0000-42000.0000	L,R	470MG7W	Rx	-99.00	-99.00	1		M-ary PSK inroute
4)	28100.0000-29100.0000	L,R	470MG7W	Tx	73.70	32.10	1		M-ary PSK outroute
5)	27500.0000-28000.0000	L,R	470MG7W	Tx	73.70	32.10	1		M-ary PSK outroute



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H) Special and General Provisions

A) This RADIO STATION AUTHORIZATION is granted subject to the following special provisions and general conditions:

- 4 --- Licensee must ensure that a current listing of the name, title, mailing address, email address, and telephone number of the responsible point of contact are on file at the FCC. Any changes must be filed electronically in the International Bureau Filing System (MyIBFS) using the "Pleadings and Comments" link on the MyIBFS homepage within 10 days of the change.
- 5 --- Licensee must notify the Commission when this earth station is no longer operational or when it has not been used to provide any service during any 6-month operation.
- 6 --- Licensee must comply with the license modification and notification requirements of 47 CFR § 25.118 to change the coordinates of its authorized earth station.

90398 --- Changes to previously authorized transmitting facilities, operations and devices regulated by the Commission that may have significant environmental impact, and are not excluded by §1.1306, require the preparation of an Environmental Assessment (EA) by the licensee. (See 47 C.F.R. §§1.1307, 1.1308 and 1.1311)

90399 --- The licensee shall, at all times, take all necessary measures to ensure that operation of this (these) authorized earth station(s) does not create potential exposure of humans to radiofrequency radiation in excess of the FCC exposure limits defined in 47 CFR §§ 1.1307(b) and 1.1310. Physical measures must be taken to ensure compliance with limits for both occupational/controlled exposure and for general population/uncontrolled exposure, as defined in these rule sections. Compliance can be accomplished in most cases by appropriate restrictions, such as fencing. Requirements for restrictions can be determined by predictions based on calculations, modeling, or by field measurements. The FCC's OET Bulletin 65 (available on-line at www.fcc.gov/oet/rfsafety) provides information on predicting exposure levels and on methods for ensuring compliance, including the use of warning and alerting signs and protective equipment for workers.

900576 --- Operations in the 50.4-51.4 GHz (Earth-to-space) frequency band are authorized pursuant to 47 CFR § 25.136(e)(3). Consequently, this earth station may operate without providing any additional interference protection to stations in the Upper Microwave Flexible Use Service (UMFUS) in the 50.4-51.4 GHz frequency band.

900577 --- The earth station licensee is required to take corrective action to mitigate interference in the 27.5-28.0 GHz, 28.1-28.35 GHz and 47.2-48.2 GHz frequency bands if the actual PFD, at ten meters above ground level, exceeds -77.6 dBm/m²/MHz anywhere outside the contour specified in the application.

900578 --- The requests for waiver of the frequency coordination requirements in 47 CFR § 25.130(b) (now section 25.115(a)(6)), 47 CFR § 25.203, and 47 CFR § 25.217(c)(3) are DISMISSED as moot. HNS's application, as supplemented, meets the frequency coordination requirements.

900579 --- The request for a waiver of 47 CFR § 25.133(a)(1) regarding completion of construction of its earth station is DENIED. HNS has not demonstrated an overriding public interest or unforeseen circumstance warranting a waiver of the rule. HNS's alternative request for additional time to comply with 47 CFR § 25.133(a)(1) is DISMISSED without prejudice to refile at a later date, closer in time to the deadline and based on the facts at that time.

900580 --- The request for a limited waiver of 47 CFR § 25.132(b)(1) of the Commission's rules with respect to the timing of the submission of antenna performance information is GRANTED. HNS must submit the antenna performance information required in section 25.132(b)(1) when filing its certification pursuant to section 25.133(b)(1).



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900581 --- The request for a waiver of 47 CFR § 25.202(a) regarding HNS operations in the 50.4-51.4 GHz band is DISMISSED as moot. HNS operations in this band comply with the rules recently adopted in FCC 19-30.

900582 --- The request for waiver of 47 CFR § 25.217(e) is DENIED. HNS has failed to demonstrate good cause for a waiver and must comply with frequency band-specific service rules that may be developed in the future, e.g., rules that define conditions for frequency sharing between two geostationary satellite networks operating in the 40-42 GHz, 47.2-50.2 GHz, and 50.4-51.4 GHz frequency bands, as required by 47 CFR § 25.217(e).

900585 --- Operations in the 47.2-48.2 GHz (Earth-to-space) frequency band are authorized pursuant to 47 CFR § 25.136(d)(4). Consequently, this earth station may operate without providing any additional interference protection to stations in the Upper Microwave Flexible Use Service (UMFUS) in the 47.2-48.2 GHz frequency band. The request for a limited waiver of 47 CFR § 25.136(d)(4)(iii) regarding the pfd contour overlap of a major roadway is DISMISSED AS MOOT. The portions of major roadways within the pfd contour are approximately the same as the co-located HNS earth station grandfathered as a result of its pending application status.

900589 --- Operations in the 27.5-27.85 GHz (Earth-to-space) frequency bands are authorized based on a demonstration of compliance with 47 CFR § 25.136(a)(4). Consequently, this earth station may operate without providing any additional interference protection to stations in the Upper Microwave Flexible Use Service (UMFUS) in the 27.5-27.85 GHz frequency bands, except as specified in condition 900592 below.

900590 --- Operations in the 27.85-28.0 GHz and 28.1-28.35 GHz (Earth-to-space) frequency bands are authorized based on a demonstration of compliance with 47 CFR § 25.136(a)(4). Consequently, this earth station may operate without providing any additional interference protection to stations in the Upper Microwave Flexible Use Service (UMFUS) in the 27.85-28.0 GHz and 28.1-28.35 GHz frequency bands. The request for a limited waiver of 47 CFR § 25.136(a)(4)(iii) regarding the pfd contour overlap of a major roadway is DISMISSED AS MOOT, because the portions of major roadways within the pfd contour are approximately the same as those of grandfathered earth stations operating in this frequency band.

900591 --- Operations in the 47.2-48.2 GHz (Earth-to-space) frequency band are authorized pursuant to 47 CFR § 25.136(d)(4). Consequently, this earth station may operate without providing any additional interference protection to stations in the Upper Microwave Flexible Use Service (UMFUS) in the 47.2-48.2 GHz frequency band. The request for a limited waiver of 47 CFR § 25.136(d)(4)(iii) regarding the pfd contour overlap of a major roadway is DISMISSED AS MOOT, because the portions of major roadways within the pfd contour are approximately the same as the co-located HNS earth station grandfathered as a result of its pending application status.

900592 --- For operations in the 27.5-27.85 GHz frequency band, the request for a limited waiver of 47 CFR §§ 25.136(a)(4)(iii) regarding the pfd contour overlap of a major roadway is DENIED. HNS has not demonstrated good cause for a waiver. 47 CFR § 1.3. The information HNS provided shows the pfd at 10 meters above ground level exceeds -77.6 dBm/m²/MHz on portions of certain roads within the pfd contour and the reasoning presented by HNS does not justify a grant of the waiver. HNS is required to take immediate corrective action upon receipt of any complaint of actual interference occurring in the portions of roads that lie inside the corresponding pfd contour.



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900593 --- We reviewed the informal objection filed by Verizon under 47 CFR § 1.41. See Letter to Marlene H. Dortch, Secretary, FCC from Gregory Romano, VP- Regulatory Affairs (Feb. 21, 2020). The Commission has discretion whether to consider an informal objection. See, e.g., Applications of Nextel Communications, Inc. and Sprint Corporation, Memorandum Opinion and Order, 20 FCC Rcd 13967, 14021 n.335 (2005). Because we dismiss or deny HNS's waivers, see conditions 900590, 900591 and 900592, we find no need to address any further the informal claims raised by Verizon.



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B) This RADIO STATION AUTHORIZATION is granted subject to the additional conditions specified below:

This authorization is issued on the grantee's representation that the statements contained in the application are true and that the undertakings described will be carried out in good faith.

This authorization shall not be construed in any manner as a finding by the Commission on the question of marking or lighting of the antenna system should future conditions require. The grantee expressly agrees to install such marking or lighting as the Commission may require under the provisions of Section 303(q) of the Communications Act. 47 U.S.C. § 303(q).

Neither this authorization nor the right granted by this authorization shall be assigned or otherwise transferred to any person, firm, company or corporation without the written consent of the Commission. This authorization is subject to the right of use or control by the government of the United States conferred by Section 706 of the Communications Act. 47 U.S.C. § 706. Operation of this station is governed by Part 25 of the Commission's Rules. 47 C.F.R. Part 25.

This authorization shall not vest in the licensee any right to operate this station nor any right in the use of the designated frequencies beyond the term of this license, nor in any other manner than authorized herein.

This authorization is issued on the grantee's representation that the station is in compliance with environmental requirements set forth in Section 1.1307 of the Commission's Rules. 47 C.F.R. § 1.1307.

This authorization is issued on the grantee's representation that the station is in compliance with the Federal Aviation Administration (FAA) requirements as set forth in Section 17.4 of the Commission's Rules. 47 C.F.R. § 17.4.

The following condition applies when this authorization permits construction of or modifies the construction permit of a radio station.

This authorization shall be automatically forfeited if the station is not ready for operation by the required date of completion of construction unless an application for modification of authorization to request additional time to complete construction is filed by that date, together with a showing that failure to complete construction by the required date was due to factors not under control of the grantee.

Licensees are required to pay annual regulatory fees related to this authorization. The requirement to collect annual regulatory fees from regulatees is contained in Public Law 103-66, "The Omnibus Budget Reconciliation Act of 1993." These regulatory fees, which are likely to change each fiscal year, are used to offset costs associated with the Commission's enforcement, public service, international and policy and rulemaking activities. The Commission issues a Report and Order each year, setting the new regulatory fee rates. Receive only earth stations are exempt from payment of regulatory fees.