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October 11, 2018

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**VIA ELECTRONIC FILING**

Paul Blais  
Anthony Asongwed  
Federal Communications Commission  
International Bureau  
445 12<sup>th</sup> St SW  
Washington, DC 20554

Re: attachment for SES-REG-INTR2018-07223

Dear Mr. Blais and Mr. Asongwed:

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole that conducts business on behalf of the unincorporated worldwide religious denomination of The Church of Jesus Christ of Latter-day Saints (the "Church"), by its attorney, hereby files this letter to amend the above-captioned receive-only earth station registration application.

Due to administrative error, the application failed to attach the waiver narrative. The narrative is now attached to this letter.

Please contact me with any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Henry Gola".

Henry Gola

## Attachment 1

### BACKGROUND AND REQUEST FOR WAIVER

Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole that conducts business on behalf of the unincorporated worldwide religious denomination of The Church of Jesus Christ of Latter-day Saints (collectively, the “Church”), by its counsel, files this registration in response to the Federal Communication Commission’s (“FCC”) request that owners of receive-only earth stations register those stations with the FCC.

The Church desires to assist in the FCC’s efforts to gather information about C-band use and appreciates the FCC’s waiver of the coordination requirement and the option to register large numbers of geographically diverse earth stations by filing an application for a single “network” license; however, it is not feasible for the Church to provide the detailed and specific technical information the FCC requires for each of the Church’s approximately 3,476 active, C-band, receive-only earth station downlinks at houses of worship in the United States and its territories. The Church therefore respectfully requests that the FCC allow the Church to submit a series of Form 312s as a single “network” license providing the location of all of its receive-only earth stations in operation as of April 19, 2018 in separate Schedule Bs, but without specific technical information for each antenna.

#### A. Background

The Church is a global denomination with over 16 million members organized into more than 30,000 congregations worldwide. Satellite broadcasting is important to the Church’s mission as it allows the senior leaders of the Church to communicate with local members and leaders in ways that otherwise would be impossible. To that end, the Church has approximately 3,476<sup>1</sup> C-band downlinks in the United States and its territories, 248 in Canada, and approximately 1,150 in countries throughout Latin America, the Caribbean, Asia, and the Pacific.<sup>2</sup> On average, each of the Church’s 3,476 C-band downlinks in the United States serves about 1,600 members.

The Church has used C-band satellite broadcasting since at least 1963, when there were just a few broadcasts per year. That initial modest utilization has steadily grown over the ensuing decades, and the Church now utilizes its satellite network extensively. Since 2003, the Church has averaged well over 500 broadcasts per year, many of which are religious services. These broadcasts are simultaneously translated to other languages based on the target audience for the particular meeting or event. A global broadcast on the Church’s meetinghouse network will include up to ninety-seven languages, with delivery of multiple languages into a single building being very common.

In addition to distribution into meetinghouses, the Church uses C-band satellite services to distribute selected programming, on an ad-hoc basis, to cable TV systems serving over 1,900 municipalities and some broadcast TV and radio stations. These programs have potential to reach millions of homes. The Church-owned Brigham Young University uses a separate C-band satellite network for distribution of its

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<sup>1</sup> The Church does not have a C-band downlink at every building and does not have a complete record of which buildings have downlinks installed. The Church has been able to definitely locate 3,476 downlinks in the United States, but believes there are others.

<sup>2</sup> The Church has additional downlinks in other areas of the world that do not operate in C-band, but the vast majority rely on C-band.

BYUtv channel, on a full-time basis, to cable systems nationwide and direct-to-home satellite TV systems for retransmission. BYUtv is available in approximately 51 million homes in the United States.

While the Church has used a variety of broadcast technologies to accomplish its mission through the years, satellite continues to be a core part of the broadcast strategy, for all the following reasons:

- Satellite provides the most consistent quality and reliability globally, even in the United States;
- Satellite is more effective at delivering multiple languages into meetinghouses simultaneously;
- Satellite allows for simple and effective controlled-access broadcasts when encryption capabilities are needed; and
- Satellite is easier to implement and simpler to support in meetinghouses (which are staffed only by volunteers) than other technologies.

The Church estimates its U.S. investment in C-band broadcast-related infrastructure and maintenance to be in excess of 100 million dollars. Although the FCC's decision will not immediately change the availability of C-band outside the FCC's jurisdiction, the decision will create a roadmap that other countries are likely to follow, and which could have a devastating impact on the Church's ability to fulfill its global mission. The continued availability of reliable C-band satellite service is extremely important to the communications capabilities of the Church and to the protection of its significant investment.

#### **B. Request for Waiver and Registration Under a Single Form 312**

Under Section 1.3 of the Commission's rules, the Commission has authority to waive its rules "for good cause shown."<sup>3</sup> Good cause exists if "special circumstances warrant a deviation from the general rule and such deviation will serve the public interest" better than adherence to the general rule.<sup>4</sup> In determining whether waiver is appropriate, the Commission should "take into account considerations of hardship, equity, or more effective implementation of overall policy."<sup>5</sup>

The Church will file a series of FCC Form 312 registration applications with 50 Schedule Bs attached to each application.<sup>6</sup> Each Schedule B will have different location information for each antenna. However, the Church requests waiver to allow it to forego providing specific detailed technical information for each and every earth station/Schedule B. Accordingly, the technical data entries for each antenna in Schedule B will remain the same. In addition, the Church requests waiver of the need to provide site elevation information for each location.

Specifically:

- Each application will have an identical FCC Form 312 Main Form;

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<sup>3</sup> 47 C.F.R. § 1.3; *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

<sup>4</sup> *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

<sup>5</sup> *WAIT Radio*, 418 F.2d at 1159.

<sup>6</sup> In its original registration application filed July 11, 2018, the Church requested that the FCC accept the Church's single Form 312 with an attachment providing the location of all of the Church's 3,476 receive-only earth stations located in the United States and its territories. See SES-REG-20180711-02100. Upon filing the first of the series of the instant applications, the Church will withdraw the original application.

- The location information in Schedule B, Questions E1, E3, E4, E7, E9, E10, E11, and E12 will vary in each Schedule B.
- The technical information required in the remainder of Schedule B will be based upon a General Dynamics Satcom 3.4-m, model 1344 C-band antenna. The frequency coordination section contains a generalized coordination arc based upon the Church's sites furthest east, west, north and south.

In this case, good cause exists to waive the requirement to provide extensive technical data for each earth station because it will facilitate the Commission's goal of receiving information on the deployment of C-band receive-only earth stations and avoid a significant hardship of time and money for the Church. Submitting the location of each antenna in a separate Schedule B is the only realistic alternative for the Church, which is not in a position to pay the cost of gathering technical data for those receivers.

As noted above, the Church began installing receive-only earth stations in the 1960s and it has increased the number and use of these stations over the many decades since. Registration is not required for receive-only earth stations, and the Church had no reason to keep and maintain technical data for thousands of receivers. The Church has records showing which church buildings have receivers, and it knows that the most common antenna on its network is the General Dynamics Satcom 3.4-m, model 1344 C-band antenna. But it cannot say with certainty which locations utilize this antenna nor does it have the other technical details required for registration, such as size, manufacturer, model, diameter, antenna gain, height from the ground, height above sea level, orbital arc, elevation and azimuth, etc. Obtaining this data would require the Church to send someone with sufficient technical training to each of the 3,476 locations scattered throughout the United States and its territories to conduct measurements and gather the required information. This simply is not feasible. Local Church leaders at each building location are volunteers, not paid clergy, and (as far as the Church knows) have no technical satellite experience.