



Federal Communications Commission
Washington, D.C. 20554

DA 06-1967

September 29, 2006

Mr. Chris F. Rampen
BotCorp America
3903 Witmer Road
Unit 860
Niagara Falls, NY 14305

Re: File Nos.: SES-STA-20060906-01670
SES-MOD-20060908-01684
Call Sign E990053

Dear Mr. Rampen:

On September 6, 2006, and September 8, 2006, BotCorp America (BotCorp) filed the above captioned request for Special Temporary Authority and application to modify its earth station license to operate 25,000 mobile earth terminals (METs) in the lower L-band.¹ Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss both applications as defective.

Specifically, we note that BotCorp indicates a Maximum EIRP per Carrier of 28.0 dBW for emission designator 5K40G7D in response to items E47 and E48 of Schedule B of Form 312. This 28.0 dBW level is greater than, and, therefore, inconsistent with the Total EIRP for All Carriers of 12.5 dBW (item E40) for the 0.112 meter antenna. Given this inconsistency, we cannot determine the proposed emission power.

In addition, Section 25.120 of the Commission's rules, 47 C.F.R. § 25.120, states that applications for special temporary authority should include a statement regarding the extraordinary circumstances and public interest that would justify a grant of such an STA. BotCorp's STA request does not include this statement. We request that BotCorp address this discrepancy in the event that it refiles its STA request.


Further, while not a basis for dismissal, we note in response to Question E21 of Schedule B, BotCorp lists ALSAT, MSAT-1, and AMSC-1 as Points of Communication. Only those fixed-satellite service earth stations that are two-degree compliant and operate in the 3700-4200 MHz, 5925-6425 MHz, 11.7-12.2 GHz, or 14.0-14.5 GHz bands can request ALSAT as a point of communication. Because BotCorp's proposed operations do not conform to these requirements, the application must identify the specific satellite or satellites with which the proposed earth station seeks to communicate in the 1525-1544 and 1631.5-1645.5 MHz bands.²

¹ 1525-1544 and 1631.5-1645.5 MHz.

² Amendment of the Commission's Regulatory Policies to Allow Non-U.S.-Licensed Space Stations to Provide Domestic and International Services in the United States, First Order on Reconsideration, IB

Accordingly, pursuant to Section 25.112(a)(1)³ 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 this application as defective without prejudice to refiling.⁴

Sincerely,


(FOR) Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division
International Bureau

Docket No. 96-111, 15 FCC Rcd 7207, 7214-16 (paras. 16-20).

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

⁴ If BotCorp refiles an application identical to the one dismissed, with the exception of supplying the missing information, it need not pay an application fee. *See* 47 C.F.R. §1.1109(d).