Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Application of United Teleports Inc. for	)	
60-Day Special Temporary Authorization	)	Call Sign: E160081
("STA") to Conduct Fixed Transmit Earth	)	
Station Operations in the 6.725-7.025 GHz	)	File No.:
(Earth-to-space) Frequency Band	)	

APPLICATION FOR SPECIAL TEMPORARY AUTHORIZATION

United Teleports Inc. ("United Teleports"), pursuant to Section 25.120 of the Commission's Rules, 47 C.F.R. § 25.120, respectfully seeks 60-day special temporary authorization ("STA") to operate a 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,[1] in the International Telecommunications Union ("ITU") Appendix 30B C-band uplink frequencies from 6.725-7.025 GHz. United Teleports seeks this 60-day STA to permit near-term operation of this transmit-only earth

[1] 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.

station during the pendency of its concurrently filed earth station modification application for identical operations.[2]

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 customer demand for gateway uplink capacity. United Teleports seeks an STA for a period of up to 60 days commencing on March 1, 2017, or as soon as practicable thereafter.

I. BACKGROUND

The Commission recently granted United Teleports' request for a similar 60-day STA,[3] as well as the underlying fixed earth station license application for identical operations,[4] to operate a 7m gateway earth station in ITU Appendix 30B Ku-band uplink frequencies at the subject Port St. Lucie teleport facility. Additionally, United Teleports was recently granted authority to operate a number of gateway earth stations in the C-band with Permitted List satellites.[5]

Here, United Teleports has filed an underlying earth station modification application for the identical ITU Appendix 30B C-band uplink operations proposed herein,

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[2] *See* United Teleports, File No. SES-MOD-INTR2017-00525 (Call Sign E160081) ("*Earth Station License Modification Application*").

[3] *See* United Teleports Inc., File No. SES-STA-20160620-00556 (Call Sign E160081).

[4] *See* United Teleports Inc., File No. SES-LIC-20160513-00427 (Call Sign E160081).

[5] *See* United Teleports Inc., File No. SES-LIC-20161209-00940 (Call Sign E160178).

which serves as United Teleports' request for regular authority under Section 25.120(b)(3) of the Commission's Rules.

United Teleports seeks to operate the ASC 6.5m – an earth station that has been previously licensed by the Commission for similar gateway operations[6] – 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,[7] for operations in the Appendix 30B Ku-band uplink at 12.75-13.25 GHz. As demonstrated in this STA request, 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, as-filed FCC Form 312, Schedule B and Schedule S, which is incorporated by reference,[8] contain

[6] *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).

[7] *See* United Teleports Inc., File No. SES-LIC-20160513-00427 (Call Sign E160081), Technical Appendix and Schedule S.

[8] *See Earth Station License Modification Application*, Schedule S.

relevant information relating to the proposed operations, including antenna and satellite technical parameters and

II. DISCUSSION

A. Proposed Use of 6.725-7.025 GHz Uplink Band

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 earth station 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 previous STA and 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)[9] 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 nor seek

[9] *Supra* n.6.

authority for E65WA to serve the U.S. market with satellite downlink frequencies. Additionally, United Teleports only seeks to operate the ASC 6.5m with E65WA for a brief period of 60 days, 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).[10]

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 are causing harmful interference to other lawfully operating co-primary operations, it will immediately suspend operations until such interference is resolved.

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[10] *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.

B. Eutelsat 65 West A 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 United Teleports 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, [11] for operations in the 12.75-13.25 GHz band.

As demonstrated in the attached Technical Appendix and underlying *Earth Station License Modification Application* 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 Appendix 30B. [12] In this connection, United Teleports provides the attached Technical Appendix and Schedule S for required information relating to the technical and

[11] *See* United Teleports Inc., File No. SES-LIC-20160513-00427 (Call Sign E160081), Technical Appendix and Schedule S.

[12] 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).

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,[13] confirming compatibility with U.S. filings.

Unlike applications for foreign-licensed satellites to provide service into the U.S. market, this STA request seeks authority for a U.S. earth station to conduct transmit operations only and associated downlinks will occur only outside the United States.[14] Because authorization of earth station uplink transmissions consistent with FCC rules is essentially independent of the receiving satellite point of communication, this limited earth station STA request can be considered separate from any request for authority to serve the U.S. market using the 6.725-7.025 GHz band.

C. STA Request and Public Interest Considerations

Section 25.120(a) of the Commission's Rules require that an STA request "must contain the full particulars of the proposed operation including all facts sufficient to justify the temporary authority sought and the public interest therein."[15] United Teleports has submitted the full particulars of its proposed transmit-only operations establishing compliance with the Commission's rules and policies, as well as substantial additional information that may not be directly relevant to this limited STA request.

United Teleports' seeks interim 60-day temporary authority to facilitate near-term

[13] *See* Technical Appendix, III.

[14] *See DISCO II Order* at ¶7.

[15] *See* 47 C.F.R. § 25.120(a).

commencement of international distribution of television and video programming during the pendency of its earth station application. Grant of this request would allow United Teleports to distribute U.S. coverage of important world news events and domestic programming to other countries in the Caribbean and the Americas, enhancing international public awareness and understanding of issues that may have significant regional and global impact.

Under this STA, United Teleports would provide diverse U.S. programming, including coverage of political developments in the United States and noteworthy events around the world. Additionally, United Teleports' interim operations will support U.S. content providers, news outlets and other customers in distributing their programming internationally. These benefits will accrue consistent with Commission rules and policies regarding U.S. earth station transmit operations in the 6.725-7.025 GHz band.

III. CONCLUSION

In view of the foregoing, including the unique and limited scope of the request, the public interest would be served by a grant of a 60-day STA to allow United Teleports to conduct uplink operations using the ASC 6.5m gateway earth station at the Port St. Lucie, Florida teleport in the 6.725-7.025 GHz band commencing March 1, 2017, or at the earliest practicable time thereafter.