



Federal Communications Commission
Washington, D.C. 20554

June 9, 2015

DA 15-678

Mr. Jeffrey L. Timmons, Esq.
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Call Sign: E150027
File No.: SES-LIC-20150401-00189

Dear Mr. Timmons:

On April 1, 2015, 15up Media, LLC (15up Media) filed the above-captioned application for a license to operate a Temporary-Fixed earth station at various nationwide locations. The application requested earth station communications with Permitted List satellites in the 13.75-14.50 GHz (Earth-to-space) and 10.95-12.75 GHz (space-to-Earth) frequency bands using a 1.5-meter antenna. Pursuant to Section 25.112(a)(2), we dismiss the application as defective without prejudice to refile.¹

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. 15up Media's application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiencies are as follows:

- Authorizations to communicate with Permitted List satellites may be granted only in cases where the earth station is eligible for "routine processing."² The routine processing criteria are specified in Section 25.212(c) of the Commission's rules, 47 C.F.R. § 25.212(c), and apply to earth stations communications in conventional C-band and Ku-band³ frequencies. The 13.75-14.0 GHz frequency band is not part of the conventional Ku-band, and earth station communications in the 13.75-14.0 GHz band are ineligible for routine processing.

¹ If 15up Media refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. See 47 C.F.R. § 1.1111(d).

² See 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, IB Docket No. 96-111, First Order on Reconsideration, 15 FCC Rcd 7207 (1999), at 7213 ¶13 (stating that licenses for "routine" earth stations providing fixed-satellite service in the conventional C-band or conventional Ku-band may specify "ALSAT" [now known as the "Permitted List" satellites] as authorized points of communication, and noting that a "routine" earth station is one that operates consistently with the technical requirements of Part 25).

³ The conventional Ku-band encompass the 14.0-14.5 GHz (Earth-to-space) and 11.7-12.2 GHz (space-to-Earth) frequency bands.

- 15up Media's proposed antenna size and e.i.r.p. do not meet the requirements of the Commission's rules. 47 C.F.R. §2.106, Footnote US356 (stating, "In the band 13.75-14 GHz, an earth station in the fixed-satellite service shall have a minimum antenna diameter of 4.5 m and the e.i.r.p. of any emission should be at least 68 dBW and should not exceed 85 dBW.")
- 15up Media did not submit a value for the Eastern and Western Antenna Elevation Limits as required in Items E57 and E59 of Form 312 Schedule B. Pursuant to Section 25.205(a) of the Commission's rules, 47 C.F.R. §25.205(a), earth station antennas are not normally authorized for transmission at angles less than 5° measured from the horizontal plane to the direction of maximum radiation.

In light of the above, pursuant to Section 25.112(a)(1) 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 the application without prejudice to refiling.

Sincerely,

Paul E. Blais
Chief, Systems Analysis Branch
Satellite Division
International Bureau