



Federal Communications Commission
Washington, D.C. 20554

DA 12-510

March 30, 2012

Mr. Mark J. Prak
Des Moines Hearst Television Inc.
P.O. Box 1800
Raleigh, NC 27602

Call Sign: E920099
File No.: SES-MOD-20120301-00230

Dear Mr. Prak:

On March 1, 2012, Des Moines Hearst Television Inc. (Des Moines Hearst) filed the above-captioned modification application to change a licensed fixed-satellite service (FSS) earth station operating in the conventional Ku-band frequencies from a Transmit/Receive facility to a Receive-Only facility.¹ Pursuant to Section 25.112(a)(2) of the Commission's rules, 47 C.F.R. § 25.112(a)(2), we dismiss the application as defective without prejudice to refiling.

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. The Des Moines Hearst modification application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiency is as follows:

Des Moines Hearst seeks to remove authority to transmit in the 14.0-14.5 GHz frequency band, leaving only authority to receive transmissions in the 11.7-12.2 GHz band. The Commission does not license or register receive-only FSS earth stations operating in the 11.7-12.2 GHz band.² Because FSS is the only primary allocation in this band, operations to the FSS receive-only Ku-band are protected against interference from the operations of any other communications service. As such, licensing or registering these earth stations is unnecessary and is not permitted. Rather, the earth station may be used to receive transmission without a station license.

¹ The conventional Ku-band encompasses the 11.7-12.2 GHz (space-to-Earth) and the 14.0-14.5 GHz (Earth-to-space) frequency bands.

² See Deregulation of Domestic Receive-Only Satellite Earth Stations, Second Report and Order, CC Docket No. 78-374 (adopted March 25, 1986).

If Des Moines no longer wishes to use this earth station for Earth-to-space transmissions, it may choose to surrender the licensee for this earth station. It should do so by submitting a letter to this effect in the current authorization file for this earth station (SES-RWL-20120130-00108) in the International Bureau Filing System.

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 Des Moines Hearst Television, Inc.'s modification application.

Sincerely,

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