



Federal Communications Commission
Washington, D.C. 20554

DA 09-288

February 18, 2009

Ms. Yolanda Wanat
Enlace Christian Television, Inc.
2021 S. Harvard St
Irving, TX 75061-1813

Re: Call Sign E090012
File No. SES-LIC-20090127-00075

Dear Ms. Wanat:

On January 27, 2009, Enlace Christian Television, Inc. (Enlace Christian Television) filed the above-captioned application for a license to operate an earth station that will communicate in the conventional C-band.¹ Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss the application as defective without prejudice to refileing.

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. Enlace Christian Television's application is incomplete and inconsistent, which renders it unacceptable and subject to dismissal. The deficiencies are as follows:

Question 28 of Form 312 indicates that a radiation hazard study must accompany all applications as an exhibit for new transmitting facilities such as the one proposed.² Enlace Christian Television's application did not include this required exhibit.

In addition, the proposed EIRP per carrier level of 58 dBW listed in item E48 of Schedule B exceeds the 57.70 dBW level that was listed as the coordinated level in the January 26, 2009 frequency coordination report. Enlace Christian Television may not seek to operate at an EIRP level that exceeds the coordinated level. *See* 47 C.F.R. § 25.203(c)(2).

Further, in response to Question E15 of Schedule B, Enlace Christian Television indicates that the proposed 1.8 meter antenna, which is manufactured by ASC Signal, does not comply with the antenna gain patterns specified in Section 25.209(a) and (b) of the Commission's rules, 47 C.F.R. § 25.209(a) and (b). Section 25.132(a)(3) of the Commission's rules, 47 C.F.R. § 25.132(a)(3), requires applicants proposing non-compliant antennas to submit the antenna gain pattern as an

¹ The conventional C-band encompasses the 3700-4200 MHz and 5925-6425 MHz frequency bands.

² 47 C.F.R. § 1.1307(b).

exhibit to its application. Instead of providing this exhibit, Enlace Christian Television states that, because it intends to use this earth station in the same manner as it uses another licensed 1.8 meter antenna, manufactured by SE Patriot, and operating under Call Sign E070174, we should grant the application for the ASC Signal antenna. Enlace Christian Television, however, does not provide evidence that the two antennas, which are built by different manufacturers, are identical. Indeed, the antennas operate with different transmit antenna gains. Without the required antenna gain patterns for the ASC Signal antenna, we cannot determine whether Enlace Christian Television proposed operations with the ASC Signal antenna complies with the Commission's rules.

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 Enlace Christian Television's application without prejudice of refiling.³

Sincerely,

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

³ If Enlace Christian Television refiles an application identical to the one dismissed, with the exception of supplying the corrected information, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).