Federal Communications Commission
Washington, D.C. 20554

DA 09-768

April 3, 2009

Mr. Tom W. Davidson
Akin Gump Strass Hauer & Feld LLP
1333 New Hampshire Ave, N.W.
Washington, D.C. 20036

Re: Call Sign E900081
File No. SES-MFS-20090313-00302
File No. SES-AFS-20090323-00359

Dear Mr. Davidson:

On March 13, 2009, GeoLogic Solutions, Inc. (GeoLogic) filed an application to seek modification of its license to operate up to 30,000 half-duplex mobile earth station terminals (METs) using L-Band frequencies.[1] The application was amended on March 23, 2009. In the amended application, GeoLogic seeks to add SkyTerra-1 at orbital location 101.3 degrees W.L. (U.S.-licensed) and SkyTerra-2 at orbital location 107.3 degrees W.L. (Canadian-licensed) as new satellite points of communication. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss, without prejudice to refiling, the portion of the amended application that seeks to access the SkyTerra-2 satellite.[2]

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. With regard to its request to communicate with the SkyTerra-2 satellite, GeoLogic's application is incomplete, which renders that portion unacceptable and subject to dismissal.

Section 25.137(b) of the Commission's rules, 47 C.F.R. § 25.137(b), states that applications for earth stations seeking to access a non-U.S.-licensed satellite, such as the SkyTerra-2, must include the same information as required in Section 25.114 for the foreign space station.[3] Sections 25.114(c) and (d) of the Commission's rules, 47 C.F.R. §§ 25.114(c), (d), require all space station applicants to submit all applicable items of information listed in its subsections.

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[1] 1530-1559 MHz and 1626.50-1660.50 MHz.

[2] If GeoLogic 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).

[3] *See also* Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Satellites Providing Domestic and International Service in the United States, *Report and Order*, IB Docket No. 96-111, 12 FCC Rcd 24094, 24175 (para. 189) (1997) (*DISCO II*); Amendment of the Commission's Space Station Licensing Rules and Policies, *First Report and Order*, IB Docket No. 02-34, 18 FCC Rcd 10760, 10872-73 (paras. 299-302) (2003) (*First Space Station Licensing Reform Order*).

Without this information we cannot determine whether the proposed operations of the non-U.S.-licensed satellite are likely to cause harmful interference to any other Commission-licensed operations. GeoLogic did not provide any of the information required by Section 25.114 for the SkyTerra-2 satellite. Further, none of this information is on file at the Commission. Thus, the portion of GeoLogic's application relating to SkyTerra-2 is incomplete.

If GeoLogic wishes to refile a request to access the SkyTerra-2 satellite it must include the following information with respect to the SkyTerra-2 satellite:

(1) All the information specified in Section 25.114(d) of the Commission's rules, 47 C.F.R. § 25.114(d).

(2) A Schedule S, as required by Section 25.114(a) of the Commission's rules, 47 C.F.R. § 25.114(a).

Accordingly, 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 delegation of authority, 47 C.F.R. §0.261, we dismiss that portion of GeoLogic's application that relates to the SkyTerra-2 satellite.

Sincerely,

(FOR)

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