



ACA Member Advisory

Instructions on Registering a Receive-Only Earth Station Using FCC Form 312 *ACA Recommends that Members Register their Earth Station(s), But Carefully Consider Whether to Include A Coordination Report*

ACA recently distributed a [Member Advisory](#) regarding the FCC's [Public Notice](#) allowing receive-only earth station operators to register their receive-only earth stations in the 3.7-4.2 GHz spectrum band ("C-Band") without submitting a costly frequency coordination report if they file their application no later than July 18, 2018. ACA recommends that members take advantage of this limited opportunity to register their receive-only earth stations in order to ensure that the cable industry is properly represented as the Commission makes its decisions. However, in light of the limited protections that the Commission is providing to operators who register without a frequency coordination report, ACA strongly urges its members to carefully consider whether or not to include this report with their registration.

Background

In the near future, the FCC is likely to permit the C-Band to be used for other purposes, such as for point-to-multipoint fixed and mobile wireless data services. The FCC has stated that, in considering how best to open up the band for additional purposes, it will take into consideration only those earth stations that are registered or have pending registrations on file as of July 18, 2018.

To gather the data that it needs, the FCC has placed a freeze on C-Band licenses and registrations for stations that are not currently in operation, but is giving existing unregistered users the opportunity to register their stations by **July 18, 2018** (essentially creating a 90-day window from the FCC's decision to register). Only earth stations that have been built and are operational on April 19, 2018 are eligible to be registered during this period. For the first time, registrations do not need to be accompanied by a coordination report, but registrants may choose to include such a

report. No registrations will be accepted after July 18, 2018, even if accompanied by a coordination report.

FCC's Response to ACA's Request for Clarification About Benefits of Registering Without a Coordination Report

On April 30, ACA [requested](#) certain clarifications of the Public Notice. The purpose of the request was to seek clarification of the benefits of registering without a coordination report during the 90-day window, other than the obvious cost and time savings associated with preparing such a report.

In a ["Q&A" document](#) published by the International Bureau on May 14 in response to ACA's request, the FCC provides no assurance that operators taking advantage of the 90-day window to register *without submitting a coordination report* will receive protection from potential Fixed Satellite ("FS") service transmissions by future licensees (if any). Nor does the Q&A provide any assurance that the FCC would treat operators of earth stations who register without coordination reports the same as those who register with such reports.

Accordingly, ACA members are advised that those registering *without a frequency coordination report* may not receive the same benefits as those that have registered or will register with a coordination report, including protection against interference from FS service. Additionally, the FCC *may* require those who registered without submitting a frequency coordination report by July 18, 2018, to submit such a report at a later date. ACA cannot reliably assess, and therefore does not attempt, to provide any probability that these risks of not registering with a coordination report may materialize.

ACA encourages members to register their unregistered earth stations so the Commission understands the degree to which the C-band is currently being used, but to carefully weigh the cost savings of registering without a frequency coordination report during the 90-day window against the more limited protections that registration without a report would achieve.

How to Determine Whether Your Earth Station is Already Registered

If you are unsure whether your receive-only earth station is registered with the FCC, you may run a [search](#) in the International Bureau Filing System ("IBFS") using your company name or FCC Registration Number ("FRN"). Simply enter your company name in the Applicant/Licensee field or FRN in the FRN field of the Administrative Data section and then click the "Search" button located halfway down the page. To limit your search to just earth stations in the C-band, enter "3700" in the Lower field and "4200" in the Upper field of the Frequency section.

After you have clicked the search button, you will be automatically redirected to a second page. If the search returns one or more licenses or registrations, you will be prompted to "Run Report." You should review the report carefully, by clicking on each File Number, to confirm that it accurately reflects all of your currently operational earth

stations and that the registrations are up-to-date. Moreover, for each registration, you should verify that all of your operational satellite dishes and antennas at the earth station site are listed on Schedule B, including all relevant information associated with each dish and antenna. If not, you should consider addressing this shortcoming. Also be sure to check the date that each registration expires. In some cases, a search term may return other types of licenses, or may return registrations that belong to other companies, so you should always double check to make sure that the report is listing your registered earth stations.

How to Register a Receive-Only Earth Station

To register a receive-only earth station, you must complete Form 312, including Schedule B. (Schedule A is used for license transfers only, and is not relevant for purposes of registering a receive-only earth station.)

The instructions below describe the manner in which most cable operators should complete Form 312. There may be circumstances in which an individual's responses may differ. If you believe that the answers provided below do not accurately reflect your own circumstances, you should seek advice from an attorney and/or technical expert who can speak to the specifics of your situation.

Preliminary Steps. To complete Form 312, you must first log in to [IBFS](#) using your FRN. Most ACA members should already have an FRN already, as it is required to conduct most business with the FCC, but if necessary you can register for a new FRN [here](#). Enter your FRN and Password, and if your contact information is the same as that listed in the Commission Online Registration System ("CORES"), click the "PREFILL CORES DATA" button.

Once you have logged in to IBFS with your FRN, select "Start New Application (Form 312/Schedule B)" from the dropdown box in the upper left-hand corner. Do not select FCC Form 312 EZ. The FCC will not accept for filing any earth station subject to the freeze that is submitted on the EZ form during the 90-day filing window. Each individual earth station requires its own Form 312 application, but you need not separately register multiple antennas operated within a single earth station.

Main Form. The Main Form of Form 312 asks for basic information about the applicant (such as legal name, business name, and contact information), as well as information about the nature of the application, the type of service provided, and the type of station.

In most cases an applicant for a receive-only earth station registration should respond with the answers provided below, but you should read each question carefully to determine whether it accurately reflects your own circumstances.

Be sure to click "Validate" at the bottom of every page to save your work.

Applicant Information

- Questions 1-16. These questions will be pre-populated using information associated with your FRN. You should fill in any missing information as appropriate.

Classification of Filing

- Question 17.
 - 17a. Check "a1. Earth Station"
 - 17b. Check "b2. Application for Registration of New Domestic Receive-Only Station."
 - 17c. Check "If Yes, complete and attach FCC Form 159."
 - 17d. Select "CMO - Receive Only Earth Station" from the dropdown menu.
 - Questions 18-19. Skip these questions unless applicable.

Type of Service

- Question 20. Check "a. Fixed Satellite."
- Question 21. Check "Non-Common Carrier."
- Question 22. Check one or both as applicable.
- Question 23. Check "N/A."
- Question 24. Check "a. C-Band (4/6 GHz)."
 - For Frequency Lower, type "3700." For Frequency Upper, type "4200."

Type of Station

- Question 25. Check "a. Fixed Earth Station."
- Question 26. Check "Receive-Only."

Purpose of Modification

- Question 27. Select "Not Applicable."

Environmental Policy

- Question 28. Check "No."

Alien Ownership

- Question 29. Check "No."
- Questions 30-34. Check "N/A."

Basic Qualifications

- Question 35. Check "No."

- Questions 36-39. Check "No."
- Question 40. Skip.
- Question 41. Check "Yes."
- Question 42a. Check as appropriate. If "Yes," specify "Permitted List" in your statement in response to 42b, assuming the foreign-licensed satellites are on that list.
- Question 43. You must provide a narrative description that summarizes the nature of the application and the services provided. The narrative should include the following information.
 - You are applying for registration of a domestic receive-only earth station that was constructed and in operation prior to April 19, 2018.
 - You are registering for purposes of providing video service.
 - List the city and state in which the station is located.
 - If appropriate, state that you are providing coordinates using the WGS84 format. (See question E13 below.)

Certification. Complete this form and click "Validate."

Schedule B. Schedule B asks for technical and operational information about the receive-only earth station.

E1-20. Site Information. This section requests basic information about your earth station.

- E1. Enter a short name to identify the station.
- E2-E9. Enter information as appropriate. You may leave E5 blank if not applicable.
- E10. Enter the city and state in which the station is used.
- E11-E13. Enter the coordinates of your earth station. Please note that the FCC recommends that coordinates be entered in World Geodetic System 1984 ("WGS84") format, which is the standard coordinate system use in the Global Position System and by Google Maps. However, that is not an option for question E13, so if you do use WGS84, you should click "N/A," but indicate in question 43 of the Main Form that you are using WGS84, as discussed above.
- E14. Enter the elevation of the site.
- E15-E16. Check "N/A."
- E18-E20. Check "No." *Points of Communication.* Click the "Points of Communication" button. Select "Permitted List." E21-E24 will be pre-populated.

Destination Points. Ignore.

Antenna, Antenna Gain, Frequency, and Frequency Coordination. Click through each of the remaining sections and respond appropriately.

- If you need help calculating the azimuth angles associated with a specific orbital arc, you can use an online tool such as <http://www.satcom.co.uk/article.asp?article=1> or www.dishpointer.com.
- Generally, multiple dishes sited within an area bounded by 1 second of latitude and 1 second of longitude may be registered under one application, with payment of a single \$435 fee.

To ensure your earth station is protected to the greatest extent possible, it is very important that you include each of your dishes at a site on your registration form, and all relevant information associated with such dishes. When determining which dishes can be included on a single registration, please note that the size of that area changes depending on the site's latitude: for example, at 39° N, the area is about 79 feet wide and 101 feet long. See, e.g., *Stephen P. More, Computing Distances between Latitudes/Longitudes in One Step*, <https://stevemorse.org/nearest/distance.php> (calculating the width and length by comparing the distance between two points separated by one second of latitude and one second of longitude, respectively, and converting the resulting distances from kilometers to feet). You should register each antenna by clicking "Add" in the "Antenna" section.

Particulars of Operation. The typical emission designator for digital signals is 36M0G7W.

Be sure to click "Validate" whenever prompted.

Complete Your Filing. When you are done, click the "Menu" button, then click "File a Form."

Filing Fee. Applications must be accompanied by a \$435 filing fee using Form 159. After closing the confirmation page, click "Form 159 Menu," select the Form 312 that you just filed, and fill in your payment information.

Frequency Coordination Report. If you choose to submit your application with a frequency coordination report, there are many vendors that can prepare this report for you. The following are some firms you might consider: [Comsearch](#), [Micronet](#), and [Cavell, Mertz & Associates](#). In mentioning these firms, ACA is not endorsing, recommending, or favoring them over any other firm that may be capable of preparing a coordination report.

It takes no less than 30 days for a vendor to produce a coordination report, and they typically need at least six weeks advance notice. Given the 90-day window for filing applications closes on July 18, and the demand on these firms to produce coordination reports is likely to significantly increase during this short window, ACA encourages its members who wish to include a coordination report with their application to contact a vendor as soon as possible.

Additional Resources. For additional FCC and industry resources to help you complete FCC Form 312 and Schedule B, click the links below:

- FCC Resources
 - http://licensing.fcc.gov/myibfsdocs/Filing_Instructions.html
 - <https://www.fcc.gov/research-reports/guides/frequently-asked-questions-faq-processing-earth-station-applications>
- Industry Resources
 - Intelsat: <http://www.intelsat.com/wp-content/uploads/2018/05/How-To-Register-Cband-Downlinks-at-the-FCC.pdf>
 - SES: <https://edit.ses.com/sites/default/files/2018-05/FCC%20Registration%20of%20C-band%20Rx-only%20Earth%20Stations.pdf>

For further information on completing Form 312 or using IBFS, please contact the IBFS Helpline at (202) 418-2222 or IBFSINFO@fcc.gov; Paul Blais at (202) 418-7274 or Paul.Blais@fcc.gov; or Kathleen Campbell at (202) 418-0753 or Kathleen.Campbell@fcc.gov.

If you have any additional questions, please contact both Mary Lovejoy, ACA's Vice President of Regulatory Affairs, at mlovejoy@americancable.org and Ross Lieberman, ACA's Senior Vice President of Government Affairs at rlieberman@americancable.org.

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The material contained within this advisory is meant to inform American Cable Association members of recent legal developments, and should not be considered legal advice. It is not intended, nor should it be used, as a substitute for specific legal advice as legal counsel may only be given in response to inquiries regarding particular situations.

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