January 12, 2021

Legal Memorandum

BE ON THE LOOKOUT!

Incumbent Earth Station Operators Should Check for Correspondence – Via Snail Mail and Email — from C-band Relocation Coordinator

**\*\* Potential Response Deadline of January 13 \*\***

 We have received reports from some C-band earth station operators (i.e., broadcasters with C-band downlink dishes) who recently received a certified hard-copy letter bearing the heading “C-band Relocation Coordinator” and requesting a response **by Wednesday January 13, 2021**. We have also received reports from broadcasters that they have received similar correspondence via email—sometimes with and sometimes without a specific response deadline.

The correspondence—which comes from a third-party contractor hired by the C-Band Relocation Coordinator to assist with the relocation of incumbent C-band dishes—appears to be legitimate. The correspondence that we’ve seen states that it is being sent because the earth station operator has one or more “antennas for which none of the C-band satellite operators . . . has taken responsibility for implementing the transition.”

 **Because some of these letters are apparently being sent via physical, certified mail only, you may wish to ensure that you have recently checked the physical mail at your station’s address, the address listed for your station’s licensee, and any address listed on or associated with any of your earth station registrations or licenses.**

*What Should I Do If I Have Received Such a Letter or Email?* The subject line of the correspondence should contain the call sign and relevant registration/license file number for any of your affected earth station(s). You should ensure that each call sign and registration/license is correct and corresponds to one of your earth stations.

Next, **no later than January 13, 2021 (or any other deadline set out in your specific missive)**, we recommend that, using the contact information in the correspondence you received, you respond with the requested information and/or inquire about why you have received the correspondence in the first place. Typically, it appears that the correspondence directs the broadcaster/C-band operator to respond by email to RSMRelocationCoordinator@rsmus.com with at least the following information:

* In the subject line of your response email, list the call sign(s) for your earth station(s) that are written in the letter you received.
* In the body of your response email, include statements that: (1) each of your affected earth stations is a qualifying incumbent earth station and therefore should be included in the 3700–4200 MHz band transition activities; (2) you wish to take part in the transition; and (3) each of your affected earth stations continues to operate.

*What if My Earth Station Is No Longer Operational or Did Not Qualify As an Incumbent?* Before responding to the letter or taking any of the other steps set out in the letter (such as contacting IBFSINFO@fcc.gov to surrender a registration or any individual antennas), we strongly encourage you to contact your communications counsel.

*I Didn’t Receive Any Such Correspondence; Should I Be Worried?* Probably not—but please continue reading). The letters and emails we have seen thus far have only been sent to operators of qualifying incumbent earth stations that are not currently listed in any C-band satellite operator’s transition plan. Because the vast majority of qualifying incumbent earth stations are listed in a satellite operator’s transition plan, you may not have received any such letter due to the fact that a satellite operator has already “taken responsibility” for transitioning your earth station. However, if you have any doubts about your transition status you may wish to contact the satellite operator from whom you receive services—likely Eutelset, Intelsat, SES, StarOne, or Telesat—to ensure that you are currently included in their transition plan.

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*Tim Nelson, Editor*

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This Legal Review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

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