

§ 25.163

47 CFR Ch. I (10–1–16 Edition)

(c) The Commission finds that the station has been used less than 50% of the time during any 12 month period;

(d) The Commission finds that the station has been used for an unlawful purpose or otherwise in violation of the Commission's rules, regulations or policies;

(e) The Commission finds that the actual use of the facility is inconsistent with what was set forth in the registrant's application; or

(f) The Commission finds that the frequency coordination exhibit, upon which the granted registration is based, is incomplete or does not conform with established coordination procedures.

§ 25.163 Reinstatement.

(a) A station authorization terminated in whole or in part under the provisions of § 25.161 may be reinstated if the Commission, in its discretion, determines that reinstatement would best serve the public interest, convenience and necessity. Petitions for reinstatement will be considered only if:

(1) The petition is filed within 30 days after the expiration date set forth in § 25.161(a) or § 25.161(b), whichever is applicable;

(2) The petition explains the failure to file a timely notification or renewal application; and

(3) The petition sets forth with specificity the procedures that have been established to ensure timely filings in the future.

(b) A special temporary authorization shall automatically terminate upon the expiration date specified therein, or upon failure of the grantee to comply with any special terms or conditions set forth in the authorization. Temporary operation may be extended beyond the termination date only upon application to the Commission.

[56 FR 24016, May 28, 1991, as amended at 81 FR 55334, Aug. 18, 2016]

§ 25.164 Milestones.

(a) The recipient of an initial license for a GSO space station, other than a DBS or SDARS space station, granted on or after August 27, 2003, must launch the space station, position it in its assigned orbital location, and operate it

in accordance with the station authorization no later than five years after the grant of the license, unless a different schedule is established by Title 47, Chapter I, or the Commission.

(b) The recipient of an initial license for an NGSO satellite system, other than a DBS or SDARS satellite system, granted on or after September 11, 2003, must launch the space stations, place them in the assigned orbits, and operate them in accordance with the station authorization no later than six years after the grant of the license, unless a different schedule is established by Title 47, Chapter I, or the Commission.

(c)–(e) [Reserved]

(f) A licensee subject to the requirements in paragraph (a) or (b) of this section must either demonstrate compliance with the applicable requirement or notify the Commission in writing that the requirement was not met, within 15 days after the specified deadline. Compliance with a milestone requirement in paragraph (a) or (b) of this section may be demonstrated by certifying pursuant to § 25.121(d) that the space station(s) in question, has, or have, been launched and placed in the authorized orbital location or non-geostationary orbit(s) and that in-orbit operation of the space station or stations has been tested and found to be consistent with the terms of the authorization.

(g) Licensees of satellite systems that include both NGSO satellites and GSO satellites, other than DBS and SDARS satellite systems, must meet the requirement in paragraph (a) of this section with respect to the GSO satellite(s) and the requirement in paragraph (b) of this section with respect to the NGSO satellites.

(h) In cases where the Commission grants a satellite authorization in different stages, such as a license for a satellite system using feeder links or inter-satellite links, the earliest of the milestone schedules will be applied to the entire satellite system.

[68 FR 51507, Aug. 27, 2003, as amended at 69 FR 51587, Aug. 20, 2004; 79 FR 8320, Feb. 12, 2014; 81 FR 55334, Aug. 18, 2016]