



March 20, 2015

BY EFILE

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Written *Ex Parte* Presentation
File Nos. SAT-LOA-20120921-00152, SAT-AMD-20130614-00085,
SAT-LOA-20130205-00016 & SAT-AMD-20130716-00094
(Call Signs S2874 & S2893)

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation (“EchoStar”) submits this letter to clarify for the record that its above-referenced application (“Application”) seeks U.S. launch and operating authority for a fixed satellite service (“FSS”) Ku-band payload (“ECHO-45W FSS”) that will provide critical backhaul services from the 45.1° W.L. orbital location to support new, competitive multi-channel video offerings to Latin America.¹

Contrary to a statement in the recent *DIRECTV KU-45W Order*,² EchoStar does not seek authority for a satellite to carry the ECHO-45W FSS payload or for any satellite facility to provide direct-to-home (“DTH”) service to Brazil. Rather, the proposed ECHO-45W FSS payload will provide backhaul services, which in turn will support the provision of multi-channel video offerings. The proposed backhaul services will expand the overseas market for U.S. content providers and deliver an array of desirable programming, including U.S.-produced Portuguese and Spanish language programming, to Latin American markets. Prior to providing this programming to certain Latin American countries, EchoStar will be required to seek and obtain appropriate authority from the relevant Latin American regulators, and those regulators will be far better suited than the

¹ See EchoStar, Minor Amendment, File No. SAT-AMD-20130614-00085, at 5-6 (June 14, 2013); EchoStar, Opposition to Petitions to Deny, File Nos. SAT-LOA-20120921-00152 *et al.*, at 2 (Nov. 12, 2013).

² See *DIRECTV Enterprises, LLC; Application for Authorization to Launch and Operate DIRECTV KU-45W*, Order and Authorization, DA 15-218, ¶ 11 (IB rel. Mar. 4, 2015) (misstating the ECHO-45W FSS application as a “request for launch and operating authority for a FSS satellite to be located at 45.1° that would provide DTH service to Brazil”) (“*DIRECTV KU-45W Order*”).

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Commission to assess the public benefits and costs of authorizing the proposed services in their respective countries.

Based upon the foregoing, EchoStar requests the Commission to clarify its statement in the *DIRECTV KU-45W Order* regarding the nature and scope of EchoStar's requested authority in its Application. Please direct any questions regarding this matter to the undersigned.

Sincerely,

/s/ Jennifer A. Manner

Jennifer A. Manner

Vice President of Regulatory Affairs

cc: William M. Wilshire (Counsel for DIRECTV)
Jennifer D. Hindin (Counsel for Intelsat)
Daniel C.H. Mah (SES)
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