



Federal Communications Commission
Washington, D.C. 20554

July 2, 2003

VIA FACSIMILE AND U.S. MAIL

Pantelis Michalopoulos, Esq.
Steptoe & Johnson, LLP
1330 Connecticut Ave., NW
Washington, D.C. 20036

SAT-LBA-19970926-00137-00138
SAT-AMD-19960124-00004

Re: EchoStar Satellite Corporation, File Nos.
167-SAT-P/LA-95; 168-SAT-P/LA-95; 54 SAT
AMEND-96.

Dear Mr. Michalopoulos:

On January 31, 2001, the International Bureau (Bureau) modified EchoStar Satellite Corporation's (EchoStar) license to launch and operate a satellite system in the geostationary-satellite orbit to provide fixed-satellite service in a portion of the Ka-band.¹ In this modification order, which authorized EchoStar to add inter-satellite links to its system, the Bureau also assigned implementation milestones for the construction, launch, and operation of the satellite system. The license provides that failure to meet any of the implementation milestones will render the satellite authorization null and void. The first implementation milestone requires EchoStar to commence construction of its first satellite by January 2002 and its second satellite by January 2003.²

To satisfy the construction commencement milestone for satellite licenses, the Commission requires the execution of a non-contingent construction contract. The "non-contingent" requirement contemplates that there will be neither significant delays between the execution of the construction contract and the actual commencement of construction, nor conditions precedent to construction.³

In order for the Commission to determine whether EchoStar has complied with the requirement to commence construction of its remaining satellite, please submit a copy of an executed contract that satisfies this obligation. The submission must include a signed copy of the contract, the statement of work, and all technical exhibits. The documentation must verify that the construction of EchoStar's satellite has commenced and will be built within the time frame specified in EchoStar's license. If any standstill or stop work agreements relating to the contract have been executed, copies of these documents and any related correspondence must be submitted as well. This information must be filed with the Commission's Secretary by July 14, 2003, with a hand delivered courtesy copy to Alyssa Roberts of my staff.

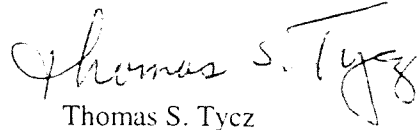
¹ EchoStar Satellite Corporation, Application for Authority to Construct, Launch and Operate a Ka-band Satellite System in the Fixed-Satellite Service, *Order and Authorization*, 16 FCC Rcd 2453 (Int'l Bur. 2001).

² *Id.* at 2459. EchoStar is licensed to operate one satellite at the 121° W.L. orbital location and one satellite at the 83° W.L. orbital location.

³ See PanAmSat Licensee Corp., Application for Authority to Construct, Launch, and Operate a Ka-Band Communications Satellite System in the Fixed-Satellite Service at Orbital Locations 58° W.L. and 125° W.L., *Memorandum Opinion and Order*, 15 FCC Rcd 18720 (Int'l Bur. 2000) *aff'd*, 16 FCC Rcd 11534 (2001).

Failure to provide this information by this date shall render EchoStar's Ka-band license null and void.
Please contact Alyssa Roberts at (202) 418-7276 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Thomas S. Tycz". The signature is written in a cursive style with a large, sweeping "T" and "y".

Thomas S. Tycz
Chief
Satellite Division