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May 2, 2008

Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals, Room TW-A325
445 12th Street, S.W.
Washington, D.C. 20554

FILED/ACCEPTED
MAY - 2 2008

Federal Communications Commission
Office of the Secretary

Re: EchoStar Corporation
File No. SAT-LOA-20040803-00154; Call Sign S2636

Dear Ms Dortch:

EchoStar Corporation¹ (“EchoStar”) hereby submits a redacted version of a letter and attachments provided by Space Systems/Loral that are being submitted in response to a request on the part of the International Bureau for additional information to demonstrate compliance with the “commence-physical-construction” milestone for the above-captioned space

¹ EchoStar Corporation is the current licensee of the above-captioned space station license. On November 15, 2007, the International Bureau approved the *pro forma* assignment and transfer of control of this license from EchoStar Satellite Operating Corporation to EchoStar Holding Corporation, and the spin-off of that company to the shareholders of EchoStar Communications Corporation. *See* Public Notice, DA-07-4655, Report No. SAT-00482 (rel. Nov. 16, 2007). The approved transactions were consummated on January 1, 2008. On January 25, 2008, EchoStar Holding Corporation changed its name to EchoStar Corporation. *See* Letter from Pantelis Michalopoulos, Counsel for EchoStar Corporation, to Marlene H. Dortch, Secretary, FCC, *filed in* File No. SAT-LOA-20040803-00154 *et al.* (filed Jan. 31, 2008).

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station authorization. An unredacted version of the letter and attachments is being submitted separately with a request for confidentiality.²

Please do not hesitate to contact me if you have any questions concerning this submission.

Respectfully submitted,



Linda Kinney
Vice President, Law and Regulation
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Director and Senior Counsel
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Counsel for EchoStar Corporation

Enclosure

cc: Robert Nelson, International Bureau

² See Letter from Pantelis Michalopoulos, Counsel for EchoStar, to Marlene H. Dortch, Secretary, FCC, filed in File No. SAT-LOA-20040803-00154 (filed May 2, 2008).

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May 2, 2008

Via HAND DELIVERY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

-- REDACTED -- FOR PUBLIC INSPECTION --

Re: **EchoStar Corporation**
File No. SAT-LOA-20040803-00154, Call Sign S2636

Dear Ms. Dortch,

EchoStar Corporation (“EchoStar”) hereby provides additional information to demonstrate compliance with the “commence-physical-construction” milestone for the above-captioned space station authorization.¹ That milestone was set at October 8, 2007, in EchoStar’s authorization.²

¹ This information supplements the information submitted by EchoStar on October 9, 2007, and February 1, 2008. *See* Confidential Letter from Pantelis Michalopoulos, Counsel for EchoStar Satellite Operating Corp., to Marlene H. Dortch, *filed in* File No. SAT-LOA-20040803-00154, Call Sign S2636 (filed Oct. 9, 2007), and Confidential Letter from Pantelis Michalopoulos, Counsel for EchoStar Corp., to Marlene H. Dortch, *filed in* File No. SAT-LOA-20040803-00154, Call Sign S2636 (filed Feb. 1, 2008).

² Stamp Grant, File No. SAT-LOA-20040803-00154, Condition 2(c) (granted Oct. 8, 2004).

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Specifically, EchoStar submits:

- a spreadsheet listing over 1,000 high-reliability components for the construction of the EchoStar-113W satellite (Attachment 1).³ These components have all been fully paid for by EchoStar, purchased by EchoStar's main satellite contractor, Space Systems/Loral ("SSL"), and designated specifically for the EchoStar-113W satellite. To EchoStar's knowledge, this spreadsheet represents a detailed list of the miscellaneous parts identified in line 1 of Exhibit 1 of EchoStar's February 1 submission;
- thirteen invoices and corresponding purchase orders showing the purchases of additional components by SSL (Attachment 2). Again, these components have been paid for by EchoStar, and SSL in turn has purchased them from a variety of subcontractors. All invoices but one are marked as paid, and EchoStar believes that all of them have in fact been paid by SSL. All of the components listed in these invoices are specifically designated for the EchoStar-113W program. The invoices total \$[REDACTED], and represent only an illustrative fraction of EchoStar's payments to SSL, as EchoStar has paid over \$[REDACTED] for construction of the EchoStar-113W satellite; and
- representative photographs of the Deployment and Positioning Mechanism ("DAPM") and earth sensor assembly (Attachment 3). These critical and costly components, previously on order or under construction, have been completed and delivered. The actual products earmarked for the EchoStar-113W program are located in SSL's Palo Alto safe storage facility. SSL has advised EchoStar that it is not practical to make all of these components available for the purpose of photographing them, but that the components featured in Attachment 3 are indistinguishable from those purchased.

The Commission has previously found that a similar showing by TMI Communications and Co. Ltd. ("TMI") was sufficient to demonstrate compliance with the milestone for commencement of physical construction of TMI's licensed 2 GHz MSS satellite.⁴ Indeed, SSL has made greater progress

³ An unredacted version of this letter and the attachments is being submitted separately with a request for confidentiality. See Letter from Pantelis Michalopoulos, Counsel for EchoStar, to Marlene H. Dortch, Secretary, FCC, filed in File No. SAT-LOA-20040803-00154 (filed May 2, 2008).

⁴ See Letter from Gregory C. Staple, Counsel for TMI, to Marlene H. Dortch, Secretary, FCC, filed in File No. SAT-LOI-19970926-00161 *et al.* (filed Apr. 11, 2005); *Use of Returned Spectrum in the 2 GHz Mobile Satellite Service Frequency Bands*, FCC 05-204, Order, 20 FCC Rcd 19696, at ¶ 28 n.77 (rel. Dec. 9, 2005) ("To date, we have found that both ICO and TMI have met their milestone requirements."); *TerreStar Networks, Inc.*, DA 07-4148, Memorandum Opinion and Order, 22 FCC Rcd 17698, at ¶¶ 3, 10 (noting that TMI had certified commencement of construction and extending subsequent launch milestone for TMI's successor-in-interest).

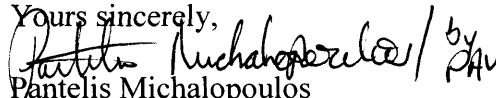
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than demonstrated in the TMI case because it has shown that it has actually acquired over 1,000 parts ear-marked for the EchoStar-113W satellite and has produced invoices for additional components -- showings that TMI had not made. Accordingly, the Commission should find that EchoStar has met the commence-physical-construction milestone for the EchoStar-113W satellite.

Please contact the undersigned if you have any questions about this letter.

Yours sincerely,

Handwritten signature of Pantelis Michalopoulos in black ink, written over the typed name. The signature is cursive and includes the initials "by PHV" at the end.

Pantelis Michalopoulos

Counsel for EchoStar Corporation


Attachments

cc: Robert Nelson, International Bureau

DECLARATION OF DAVID BAIR

I, David Bair, declare under penalty of perjury that I have personal knowledge of the assertions of fact contained in the foregoing letter and that they are true and correct to the best of my knowledge, information and belief.

Executed on 2 MAY 2008

A handwritten signature in black ink, appearing to be 'David Bair', written over a horizontal line.

David Bair
EchoStar Corporation
90 Inverness Circle East
Englewood, CO 80112

ATTACHMENT 1

(Redacted)

ATTACHMENT 2

(Redacted)

ATTACHMENT 3

(Redacted)