

## Federal Communications Commission Washington, D.C. 20554

July 21, 2011

Pantelis Michalopoulos, Esq. Steptoe & Johnson LLP 1330 Connecticut Avenue, NW Washington, DC 20036

Re: EchoStar Satellite Operating Corporation, IBFS File Nos. SAT-LOA-20020328-00050 (Call Sign S2440); SAT-LOA-20020328-00051 (Call Sign S2441); SAT-LOA-20020328-00052 (Call Sign S2442); SAT-LOA-20070105-00001 (Call Sign S2723); and SAT-LOA-20070105-00003 (Call Sign S2725).

Dear Mr. Michalopoulos:

The Satellite Division is currently assessing EchoStar Satellite Operating Corporation's (EchoStar's) compliance with the milestone conditions associated with the five above-captioned 17/24 GHz Broadcast-Satellite Service (17/24 GHz BSS) space station authorizations. The authorizations were issued in 2009. EchoStar surrendered the licenses in 2011. Pursuant to the authorizations and Section 25.164 of the Commission's rules, each authorization required EchoStar to enter into a binding non-contingent contract to construct the space station one year after grant. In addition, each authorization required EchoStar to complete critical design review (CDR) two years after grant.

In March, April, and July 2010, EchoStar submitted construction contracts between EchoStar Orbital L.L.C. and Space Systems/Loral Inc. to demonstrate compliance with the contract execution milestone in each authorization. Additionally, in March and April 2011, EchoStar submitted CDR milestone certifications and accompanying documents for three of the authorizations, Call Signs S2440, S2723, and S2725.

To facilitate consideration of EchoStar's milestone filings, we seek the following additional information.

1. Evidence of payments that have been made to date under each of the five satellite construction contracts. In particular, please identify -- with specific reference to the payment plan in Attachment A to each contract

<sup>&</sup>lt;sup>1</sup> Letter from Pantelis Michalopoulos and Christopher Bjornson, Counsel for EchoStar Corporation and EchoStar Satellite Operating Corporation, to Marlene H. Dortch, Secretary, Federal Communications Commission, dated May 24, 2011 (May 24 Letter).

<sup>&</sup>lt;sup>2</sup> 25 C.F.R. § 25.164.

- -- which contract milestone event(s) were completed and what payments were made, specified both individually and cumulatively. In addition, please identify any payments made after EchoStar surrendered the authorizations, including, but not limited to, payments made in connection with any termination for convenience under the contracts, or payments for work performed up to the date of termination of the contracts.
- 2. Summarize any changes to the construction contracts and list the items or articles that have changed since the contracts were originally submitted to the Commission. Please submit copies of all amendments or modifications to the construction contracts.
- 3. Indicate whether long lead items needed to begin physical construction of space stations S2440, S2723, and S2725 were ordered and/or delivered. Provide a summary of the status of design at CDR with supporting evidence. As part of its showing, EchoStar should indicate (a) whether any design verification activities were conducted and the result of such activities, and (b) whether electrical and mechanical analyses and simulations were conducted and the result of such analyses and simulations.
- 4. Explain the affiliation and corporate structure between EchoStar Corporation, EchoStar Satellite Operating Corporation, and EchoStar Orbital L.L.C.

EchoStar's response must be filed with the Secretary of the Commission no later than 30 calendar days from the date of this letter. You may contact Andrea Kelly, Associate Division Chief, and Mark Young, Attorney Advisor, of my staff if you have any questions.

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Sincerely

Robert G. Nelson

Chief, Satellite Division

International Bureau