

Approved by OMB
3060-0678

Date & Time Filed: Jun 22 2007 6:16:02:623PM
File Number: SAT-LOA-20070622-00085
Callsign/Satellite ID: S2738

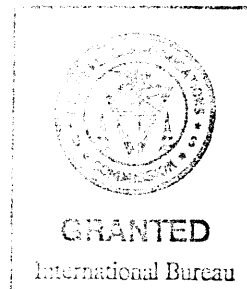
APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Application for Authority to Launch and Operate the New EchoStar 11 DBS Satellite at 110 W.L.

1-8. Legal Name of Applicant			
Name:	EchoStar Satellite Operating Corporation	Phone Number:	303-723-1000
DBA Name:		Fax Number:	303-723-1699
Street:	9601 South Meridian Boulevard	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:	Linda Kinney - (202) 293-0981		



File # SAT-LOA-20070622-00085

Call Sign S2738 Grant Date 1/11/08
(or other identifier)

Term Dates
From LOA To: +10 yrs

Approved: [Signature]

W/cond. to use

Policy Branch Chief

ATTACHMENT
IBFS File No. SAT-LOA-20070622-00085
Call Sign S2738
Grant Date: January 11, 2008

EchoStar Satellite Operating Corporation's (EchoStar) application, IBFS File No. SAT-LOA-20070622-00085, to construct, launch, and operate a direct broadcast satellite service (DBS) satellite, EchoStar 11 (Call Sign: S2738), and to locate the satellite at the 110.0° W.L. orbital location IS GRANTED. Accordingly, EchoStar is authorized to operate the EchoStar 11 satellite at the 110.0° W.L. orbital location with feeder links (Earth to space) in the 17.3-17.8 GHz band and service links (space to Earth) in 12.2-12.7 GHz band on DBS channels 1-26, 27, 29, and 31, in accordance with the terms, conditions, and technical specifications set forth in its application, the Federal Communications Commission's (Commission) rules, and the conditions set forth below.

1. EchoStar's request for waiver of Section 25.215 of the Commission's rules, 47 C.F.R. § 25.215, for the EchoStar 11 satellite located at the 110.0° W.L. orbital location, IS GRANTED as conditioned. Section 25.215 requires DBS space station antennas to be designed to meet a cross-polarization isolation of 30 dB within the primary coverage area of the antenna. EchoStar states that the cross-polarization isolation for its DBS antennas is 28.8 dB. Commission precedent states that licensees may use cross-polarization isolation that is different from that specified for the Region 2 Broadcasting-Satellite Service (BSS) Plan if they demonstrate that the difference does not result in interference to other operational or planned systems, including U.S.-licensed systems.¹ As a condition of this waiver, EchoStar must coordinate the operations of EchoStar 11 with other potentially affected radiocommunication systems, and operate on a non-harmful interference basis with respect to any space stations that are in compliance with the cross-polarization isolation requirement. Also, because the intra-system cross-polarization isolation must be factored into EchoStar's own link budgets, EchoStar shall not claim any more protection from interference from other radiocommunication systems operating in accordance with the Commission's rules than if it met the requirements of Section 25.215.

2. EchoStar must maintain the EchoStar 11 satellite at 110.0 degrees W.L. with +/- 0.05 degree longitudinal station keeping. EchoStar shall not operate the EchoStar 11 satellite outside these station-keeping limits without further authorization.

3. Pursuant to Section 25.111(c) of the Commission's rules, 47 C.F.R. § 25.111(c), EchoStar shall provide the Commission with all information it requires in order to modify the Appendix 30 BSS Plan and associated Appendix 30A feeder-link

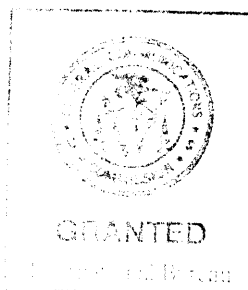
¹ See EchoStar Satellite Corp., Directsat Corp., EchoStar DBS Corp. Application for Authority to Make Minor Modifications to Direct Broadcast Satellite Authorizations, Launch, and Operational Authority, *Memorandum Opinion and Order*, 13 FCC Rcd 8595, 8604 at ¶ 17 (Int'l Bur. Sat. & Radiocomm. Div. 1998).

Plan to incorporate the characteristics of the BSS space station of the EchoStar 11 satellite, USABSS-30, in accordance with the ITU Radio Regulations. EchoStar shall be held responsible for all cost recovery fees associated with these ITU filings. We also note that no protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification procedures are timely completed, or, with respect to individual administrations, coordination agreements are successfully completed. Any radio station authorization for which coordination has not been completed and/or for which the necessary agreements under Appendices 30 and 30A have not been obtained may be subject to additional terms and conditions as required to effect coordination or obtain the agreement of other Administrations.

4. The license term for the EchoStar 11 is 10 years, and will begin to run on the date the licensee certifies to the Commission that the satellite has been successfully placed into orbit and its operation fully conforms to the terms and conditions of this authorization. Within five business days of EchoStar 11 commencing operations at the 110.0° W.L. orbital location, EchoStar shall file its certification through a letter to the Chief, Satellite Division, International Bureau, Federal Communications Commission.

5. EchoStar is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

6. This Grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.116, may be filed within 30 days of the date of the public notice indicating that this action was taken.



w/conditions

File # SAT-LOA-20070622-00085

Call Sign S2735 Grant Date 1/11/08
(or other identifier)

Term Dates see conditions

From LOA To: + 10 years

Approved: [Signature]

Policy Branch Chief

9-16. Name of Contact Representative

Name:	Pantelis Michalopoulos	Phone Number:	202-429-6494
Company:	Step toe & Johnson LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Ave., N.W.	E-Mail:	pmichalo@steptoe.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -1795
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- a.
(N/A) a1. Earth Station
 a2. Space Station

- b.
 b1. Application for License of New Station
(N/A) b2. Application for Registration of New Domestic Receive-Only Station
(N/A) b3. Amendment to a Pending Application
(N/A) b4. Modification of License or Registration
(N/A) b5. Assignment of License or Registration
(N/A) b6. Transfer of Control of License or Registration
(N/A) b7. Notification of Minor Modification
(N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite

 b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
 b10. Replacement Satellite Application - no new frequency bands
 b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)
 b12. Petition for Declaratory Ruling to be Added to the Permitted List
(N/A) b13. Other (Please specify)

<p>17c. Is a fee submitted with this application?</p> <p><input checked="" type="radio"/> If Yes, complete and attach FCC Form 159.</p> <p>If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).</p> <p><input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee</p> <p><input type="radio"/> Other (please explain):</p>			
<p>17c. Fee Classification BNY – Space Station (Geostationary)</p>			
<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station: Not Applicable</p>			
<p>19. If this filing is an amendment to a pending application enter:</p> <table border="0"> <tr> <td>(a) Date pending application was filed: Not Applicable</td> <td>(b) File number of pending application: Not Applicable</td> </tr> </table>		(a) Date pending application was filed: Not Applicable	(b) File number of pending application: Not Applicable
(a) Date pending application was filed: Not Applicable	(b) File number of pending application: Not Applicable		

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:	
<input type="checkbox"/> a. Fixed Satellite <input type="checkbox"/> b. Mobile Satellite <input type="checkbox"/> c. Radiodetermination Satellite <input type="checkbox"/> d. Earth Exploration Satellite <input type="checkbox"/> e. Direct to Home Fixed Satellite <input type="checkbox"/> f. Digital Audio Radio Service <input checked="" type="checkbox"/> g. Other (please specify) Direct Broadcast Satellite	
21. STATUS: Choose the button next to the applicable status. Choose only one. <input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier	22. If earth station applicant, check all that apply. Not Applicable
23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities: <input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A	
24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s). <input type="checkbox"/> a. C-Band (4/6 GHz) <input type="checkbox"/> b. Ku-Band (12/14 GHz) <input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.) Frequency Lower: 12200 Frequency Upper: 12700 (Please specify additional frequencies in an attachment)	

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- (N/A) a. Fixed Earth Station
- (N/A) b. Temporary-Fixed Earth Station
- (N/A) c. 12/14 GHz VSAT Network
- (N/A) d. Mobile Earth Station
- e. Geostationary Space Station.
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY: Not Applicable

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments. Yes No

ALIEN OWNERSHIP

Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

29. Is the applicant a foreign government or the representative of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No
30. Is the applicant an alien or the representative of an alien?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.	

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

Yes No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

Response to Q36

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances

Yes No

39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.

Yes No

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer. Response to Q40

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. Yes No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43. Yes No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

Approved by OMB
3060-0678

Date & Time Filed: Jun 22 2007 6:16:02:623PM
File Number: SAT-LOA-20070622-00085
Callsign/Satellite ID: S2738

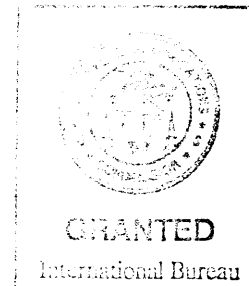
APPLICATION FOR SATELLITE SPACE STATION AUTHORIZATIONS FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	FCC Use Only
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Application for Authority to Launch and Operate the New EchoStar 11 DBS Satellite at 110 W.L.

1-8. Legal Name of Applicant			
Name:	EchoStar Satellite Operating Corporation	Phone Number:	303-723-1000
DBA Name:		Fax Number:	303-723-1699
Street:	9601 South Meridian Boulevard	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:	Linda Kinney - (202) 293-0981		



File # SAT-LOA-20070622-00085

Call Sign S2738 Grant Date 4/11/08
(or other identifier)

Term Dates
From LOA To: 4-10-10

Approved: [Signature]
Policy Branch Chief

ATTACHMENT
IBFS File No. SAT-LOA-20070622-00085
Call Sign S2738
Grant Date: January 11, 2008

EchoStar Satellite Operating Corporation's (EchoStar) application, IBFS File No. SAT-LOA-20070622-00085, to construct, launch, and operate a direct broadcast satellite service (DBS) satellite, EchoStar 11 (Call Sign: S2738), and to locate the satellite at the 110.0° W.L. orbital location IS GRANTED. Accordingly, EchoStar is authorized to operate the EchoStar 11 satellite at the 110.0° W.L. orbital location with feeder links (Earth to space) in the 17.3-17.8 GHz band and service links (space to Earth) in 12.2-12.7 GHz band on DBS channels 1-26, 27, 29, and 31, in accordance with the terms, conditions, and technical specifications set forth in its application, the Federal Communications Commission's (Commission) rules, and the conditions set forth below.

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3. Pursuant to Section 25.111(c) of the Commission's rules, 47 C.F.R. § 25.111(c), EchoStar shall provide the Commission with all information it requires in order to modify the Appendix 30 BSS Plan and associated Appendix 30A feeder-link

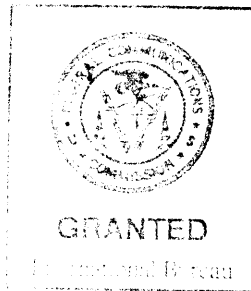
¹ See EchoStar Satellite Corp., Directsat Corp., EchoStar DBS Corp. Application for Authority to Make Minor Modifications to Direct Broadcast Satellite Authorizations, Launch, and Operational Authority, *Memorandum Opinion and Order*, 13 FCC Rcd 8595, 8604 at ¶ 17 (Int'l Bur. Sat. & Radiocomm. Div. 1998).

Plan to incorporate the characteristics of the BSS space station of the EchoStar 11 satellite, USABSS-30, in accordance with the ITU Radio Regulations. EchoStar shall be held responsible for all cost recovery fees associated with these ITU filings. We also note that no protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination and notification procedures are timely completed, or, with respect to individual administrations, coordination agreements are successfully completed. Any radio station authorization for which coordination has not been completed and/or for which the necessary agreements under Appendices 30 and 30A have not been obtained may be subject to additional terms and conditions as required to effect coordination or obtain the agreement of other Administrations.

4. The license term for the EchoStar 11 is 10 years, and will begin to run on the date the licensee certifies to the Commission that the satellite has been successfully placed into orbit and its operation fully conforms to the terms and conditions of this authorization. Within five business days of EchoStar 11 commencing operations at the 110.0° W.L. orbital location, EchoStar shall file its certification through a letter to the Chief, Satellite Division, International Bureau, Federal Communications Commission.

5. EchoStar is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

6. This Grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.116, may be filed within 30 days of the date of the public notice indicating that this action was taken.



w/conditions

File # SAT-LOA-20070622-00085

Call Sign S2735 Grant Date 1/11/08
(or other identifier)

Term Dates see condition 4
From LOA To: + 10 years

Approved: [Signature]

Policy Branch Chief

9-16. Name of Contact Representative

Name:	Pantelis Michalopoulos	Phone Number:	202-429-6494
Company:	Steptoe & Johnson LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Ave., N.W.	E-Mail:	pmichalo@steptoe.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -1795
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the buttonnext to the classification that applies to thisfiling for both questions a. and b. Choose only one for 17a and only one for 17b.

a.

- (N/A) a1. Earth Station
 a2. Space Station

b.

- b1. Application for License of New Station
(N/A) b2. Application for Registration of New Domestic Receive-Only Station
(N/A) b3. Amendment to a Pending Application
(N/A) b4. Modification of License or Registration
(N/A) b5. Assignment of License or Registration
(N/A) b6. Transfer of Control of License or Registration
(N/A) b7. Notification of Minor Modification
(N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite

 b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
 b10. Replacement Satellite Application - no new frequency bands
 b11. Replacement Satellite Application - new frequency bands (Not eligible for streamlined processing)
 b12. Petition for Declaratory Ruling to be Added to the Permitted List
(N/A) b13. Other (Please specify)

17c. Is a fee submitted with this application?

If Yes, complete and attach FCC Form 159.

If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).

Governmental Entity Noncommercial educational licensee

Other (please explain):

17c. Fee Classification BNY – Space Station (Geostationary)

18. If this filing is in reference to an existing station, enter:

(a) Call sign of station:

Not Applicable

19. If this filing is an amendment to a pending application enter:

(a) Date pending application was filed:

Not Applicable

(b) File number of pending application:

Not Applicable

TYPE OF SERVICE

<p>20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:</p> <p><input type="checkbox"/> a. Fixed Satellite</p> <p><input type="checkbox"/> b. Mobile Satellite</p> <p><input type="checkbox"/> c. Radiodetermination Satellite</p> <p><input type="checkbox"/> d. Earth Exploration Satellite</p> <p><input type="checkbox"/> e. Direct to Home Fixed Satellite</p> <p><input type="checkbox"/> f. Digital Audio Radio Service</p> <p><input checked="" type="checkbox"/> g. Other (please specify) Direct Broadcast Satellite</p>	
<p>21. STATUS: Choose the button next to the applicable status. Choose only one.</p> <p><input type="radio"/> Common Carrier <input checked="" type="radio"/> Non-Common Carrier</p>	<p>22. If earth station applicant, check all that apply.</p> <p>Not Applicable</p>
<p>23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:</p> <p><input type="radio"/> Connected to a Public Switched Network <input type="radio"/> Not connected to a Public Switched Network <input checked="" type="radio"/> N/A</p>	
<p>24. FREQUENCY BAND(S): Place an "X" in the box(es) next to all applicable frequency band(s).</p> <p><input type="checkbox"/> a. C-Band (4/6 GHz) <input type="checkbox"/> b. Ku-Band (12/14 GHz)</p> <p><input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.)</p> <p>Frequency Lower: 12200 Frequency Upper: 12700 (Please specify additional frequencies in an attachment)</p>	

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- (N/A) a. Fixed Earth Station
- (N/A) b. Temporary-Fixed Earth Station
- (N/A) c. 12/14 GHz VSAT Network
- (N/A) d. Mobile Earth Station
- e. Geostationary Space Station.
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY: Not Applicable

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an "X" in the box(es) next to all that apply.) Not Applicable

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. §§ 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments. Yes No

ALIEN OWNERSHIP

Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30-34.

29. Is the applicant a foreign government or the representative of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No
30. Is the applicant an alien or the representative of an alien?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A
34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.	

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

Yes No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

Response to Q36

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.

Yes No

38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances

Yes No

39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.

Yes No

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer. Response to Q40

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes. Yes No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43. Yes No

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

This is an application for authority to launch and operate the new EchoStar 11 Direct Broadcast Satellite at the 110 W.L. orbital location.

Narrative App.

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

Technical Nar.

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)	
<input type="radio"/> Individual <input type="radio"/> Unincorporated Association <input type="radio"/> Partnership <input checked="" type="radio"/> Corporation <input type="radio"/> Governmental Entity <input type="radio"/> Other (please specify)	
45. Name of Person Signing Linda Kinney	46. Title of Person Signing Vice President, Law and Regulation
47. Please supply any need attachments.	
1:	2:
	3:
<p style="text-align: center;">WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).</p>	

Completed Schedule S

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
ECHOSTAR SATELLITE OPERATING CORPORATION)	
Application for Authority to Launch the EchoStar 11 Satellite and Operate that Satellite at 110° W.L.)	File No. SAT-LOA-2007 _____

APPLICATION FOR LAUNCH AND OPERATING AUTHORITY FOR ECHOSTAR 11

Pursuant to Section 308, 309 and 319 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 308, 309 and 319, Part 25 of the Commission’s rules, 47 C.F.R. Part 25, EchoStar Satellite Operating Corporation (“EchoStar”) hereby files an application for authority to launch the EchoStar 11 satellite and to operate that satellite on the Direct Broadcast Satellite (“DBS”) channels already licensed to EchoStar¹ at the 110° W.L. orbital location.² EchoStar 11

¹ *Application of MCI Telecommunications Corp. and EchoStar 110 Corp., for Consent to Assignment of Authorization to Construct, Launch, and Operate a Direct Broadcast Satellite System Using 28 Frequency Channels at the 110° W.L. Orbital Location, Order and Authorization, 16 FCC Rcd 21608 (rel. May 19, 1999); EchoStar Satellite Corporation; Application for Modification to Direct Broadcast Satellite Authorization and for Operation Authority, Memorandum Opinion and Order, 15 FCC Rcd 6727 (rel. Sept. 1, 1999); EchoStar Satellite Corp., Application for Minor Modification of Direct Broadcast Satellite Authorization, Launch and Operating Authority for EchoStar VIII, Order and Authorization, 17 FCC Rcd 11326 (rel. June 20, 2002), EchoStar Satellite Operating Corporation, Application to Make Minor Modification to Direct Broadcast Satellite Authorizations and for Launch and Operating for the EchoStar 10 Satellite, File No. SAT-LOA-20051221-00267, Grant Stamp (Mar. 27, 2006).*

² Specifically, EchoStar plans to locate the satellite at 110.0° W.L. EchoStar also requests the flexibility to place the satellite at all other locations within the 109.8° to 110.2° W.L. DBS cluster, subject to coordination with DIRECTV.

is a CONUS-beam DBS satellite that will operate in the 12.2-12.7 GHz downlink and 17.3-17.8 GHz uplink frequency bands.³

The EchoStar 11 satellite will supplement the services provided from EchoStar's existing fleet of satellites at 110° W.L. Among other things, the satellite will optimize use of the slot. It will update, improve, and increase the power of EchoStar's full-CONUS service from 110° W.L., resulting in consumers receiving the programming they demand while preserving the quality of reception to which they have been accustomed. Because the satellite will operate on the 29 channels already licensed to EchoStar at 110° W.L., this application is not subject to the "freeze" on new DBS applications currently in place.⁴ The information required by 47 C.F.R. § 25.114 is provided in Schedule S and the supplementary Attachment A, both appended hereto and incorporated into this application.

I. INTRODUCTION

EchoStar, together with other EchoStar affiliates, is a leading provider of DBS services in the multichannel video programming distribution ("MVPD") market with over 13 million subscribers. EchoStar and/or other EchoStar affiliates own and operate ten DBS satellites at the 61.5° W.L., 77° W.L., 110° W.L., 119° W.L., 129° W.L., and 148° W.L. orbital locations, as well as a hybrid Ka-/Ku-band Fixed-Satellite Service ("FSS") satellite at the 121° W.L. orbital location and FSS leased capacity on additional satellites.

³ EchoStar will file separately a request for Special Temporary Authority to test the satellite at an appropriate orbital location after launch and before commencement of operations at 110° W.L.

⁴ See Public Notice, *Direct Broadcast Satellite (DBS) Auction Nullified: Commission Sets Forth Refund Procedures for Auction No. 52 Winning Bidders and Adopts a Freeze on All New DBS Service Applications*, FCC 05-213, at 2 (rel. Dec. 21, 2005).

EchoStar 11 will improve CONUS service at 110° W.L. by allowing higher power operations at the slot than are possible using the CONUS capabilities of the EchoStar 8 satellite, which is currently providing CONUS service at 110° W.L. In addition to optimizing the CONUS service from 110° W.L., the launch and operation of EchoStar 11 may free EchoStar 8, which can operate with both spot beam and CONUS capabilities, for a more efficient deployment at another orbital location. It will also lessen the need for maintaining EchoStar 6 as an in-orbit spare at the 110.4° W.L. orbital location. Due to past and recent launch vehicle incidents, the projected launch date for EchoStar 11 is not certain but could be as early as October 1 of this year, and accordingly EchoStar respectfully requests timely grant of the instant application.

II. TECHNICAL REQUIREMENTS OF PART 25

The technical information for the EchoStar 11 satellite required to be submitted pursuant to Part 25 of the Commission's Rules is set forth in the accompanying Technical Narrative (Attachment A), FCC Form 312, and Schedule S, all of which are incorporated into this application by reference.⁵

III. PUBLIC INTEREST CONSIDERATIONS IN SUPPORT OF GRANT OF APPLICATION

Grant of this application will serve the public interest. First, the operation of EchoStar 11 at 110° W.L. will allow EchoStar to improve its CONUS service at this orbital location. EchoStar currently operates the EchoStar 10 spot beam satellite, which operates on 10 downlink channels at 110° W.L. -- channels 4, 12, 18, 20, 23, 25, 26, 27, 29 and 31. After EchoStar 10 began operations at 110° W.L., the EchoStar 8 satellite, which has both spot beam

⁵ While EchoStar 11 will primarily operate on the channels not used by EchoStar 10's spot beam operations, EchoStar requests authority for all 29 downlink and uplink channels licensed to EchoStar at the 110° W.L. orbital location.

and CONUS capabilities, has been relegated exclusively to CONUS operations.⁶ EchoStar 11, a dedicated CONUS satellite, will improve CONUS service by allowing higher power operations, which will in turn provide consumers with the programming that they demand while preserving the quality of their reception.

Competitive developments have placed a strain on the limited bandwidth available to DBS operators and have made it imperative to maximize the available capacity from licensed spectrum. EchoStar must provide local broadcast stations into as many local markets as feasible in order to compete with terrestrial MVPDs. To the same end, it must also provide a large and growing amount of High Definition programming. This means that, in a finite spectrum assignment, EchoStar must allocate power to increasing its throughput. This has a price: less power remains available to preserve the quality of reception and link availability that customers have come to expect.

In sum, additional power is necessary to respond to consumer demand and competitive pressures without sacrificing reception quality. EchoStar 11 will help achieve this. The operation of EchoStar 11 at 110° W.L. may also free up EchoStar 8 or 6 for in-orbit backup missions or more efficient deployment at a different orbital location.

Finally, the launch and operation of EchoStar 11 will better enable EchoStar to provide meaningful competition to terrestrial providers – both cable operators and the telephone companies – thus increasing competition in the MVPD market overall and benefiting consumers.

⁶ EchoStar 6 is also located near 110° W.L., at 110.4° W.L. However, it is currently operating as an in-orbit spare and its communications payload is not in use. *See* File Nos. SAT-STA-20060303-00023 and SAT-STA-20061020-00124.

IV. EARTH EXPLORATION SERVICE

EchoStar 11 will be equipped with a camera that will supply satellite imaging information to EchoStar's customers by using the same DBS frequencies licensed to EchoStar at 110° W.L. Specifically, images will be transmitted back to earth on the 12.208 GHz downlink frequency. EchoStar duly applied to the National Oceanic & Atmospheric Administration ("NOAA") for the required permit on November 14, 2006 and its application was granted on March 6, 2007.⁷ EchoStar believes that no further license is necessary from the Commission in light of the Commission's decision that DBS operators may use their licensed frequencies for non-DBS services.⁸ If this is not the case, as explained below, EchoStar is requesting a waiver of the Commission's rules to allow it to provide limited Earth Exploration Service ("EES") using the 12.208 GHz DBS downlink frequencies.

V. REQUESTS FOR WAIVER

Under Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3, EchoStar hereby requests a limited waiver, to the extent necessary, of the cross-polarization isolation requirement set forth in 47 C.F.R. § 25.215 (for DBS satellites) and 47 C.F.R. § 25.210(i) (for Fixed-Satellite Service). If necessary, EchoStar also requests a waiver of the Table of Frequency Allocations, 47 C.F.R. § 2.106, and the corresponding provision of 47 C.F.R. § 25.202(a)(7), to allow EchoStar to provide EES using the 12.208 GHz DBS downlink frequency. Commission Rules may be waived for good cause shown.⁹ For the reasons set forth below, there is good cause for granting the requested waivers.

⁷ See NOAA File No. ES-2006-L1.

⁸ See *Policies and Rules for the Direct Broadcast Satellite Service*, 17 FCC Rcd 11331, at ¶ 148 (2002) ("*DBS Order*").

⁹ 47 C.F.R. § 1.3. See also *WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1969).

Cross Polarization Isolation. The minimum cross-polar isolation for EchoStar 11 satellite's CONUS antenna whose transmissions operate in Left Hand Circular Polarization is 28.8 dB, less than the 30 dB minimum ratio of the on-axis co-polar gain to the cross-polar gain prescribed in 47 C.F.R. § 25.215 (for DBS satellites) and 47 C.F.R. § 25.210(i) (for Fixed-Satellite Service). In previous cases, the Commission has been amenable to waiving this rule when the impact on neighboring satellite networks is negligible and when the only party suffering increased interference is the satellite operator itself.¹⁰ This is the case here. As shown in detail in Attachment A, the slight 1.2 dB shortfall creates insubstantial amounts of self-interference that have already been factored into the link budgets submitted with Schedule S.

In addition, as shown in Attachment A, the cross polarization isolation shortfall creates an insignificant amount of additional downlink interference to adjacent co-frequency DBS satellites in the geostationary orbit. This is because the overall interference isolation of adjacent satellites is dominated by the receive earth station antenna off-axis discrimination for co-polar signals, and the contribution from the cross-polar component is negligible. A cross-polar isolation of 28.8 dB will increase the adjacent satellite interference by less than 0.002 dB compared to the case where the cross-polar isolation is 30 dB.¹¹ In any event, the operation of

¹⁰ See *EchoStar Satellite Operating Corporation*, Order and Authorization, 21 FCC Rcd 14780, at ¶ 8 (Sat. Div. 2006) (“*EchoStar 9 Lower Ka-band Order*”); *Star One S.A.*, Order, 19 FCC Rcd 16334, at ¶ 12 (2004); *New Skies Satellites N.V.*, Order, 17 FCC Rcd 10369, at ¶ 19 (2002).

¹¹ *EchoStar 9 Lower Ka-band Order* at FN 21 (“The impact of the satellite downlink antenna cross polarization performance is to raise slightly the interference level into the downlink of the victim satellite’s wanted polarization. ... In addition, in the same polarization, it would receive a much lower interfering signal whose level is defined by the interfering satellite’s downlink cross-polarization performance. If the satellite antenna met the 30 dB requirement of 25.210(i) and if it transmitted at the same level in both polarizations, this cross-polar contribution would increase interference level by one part per thousand. This increase would correspond to a decrease in carrier-to-interference ratio (C/I) into the adjacent satellite’s downlink signal of 0.0004 dB. With EchoStar-9’s downlink antenna cross-polarization isolation of 22 dB, cross-

EchoStar 11 will not cause even this negligible additional interference: if at all, EchoStar plans to transmit only in Right Hand Circular Polarization on its three licensed channels at 110° W.L. (Channels 27, 29 and 31) that are adjacent to DIRECTV's three licensed channels (Channels 28, 30 and 32). Finally, the shortfall will occur in a very small (5%) portion of the satellite's coverage area.

EES. As explained above, EchoStar proposes to transmit earth exploration images back to earth on the 12.208 GHz downlink frequency. Even if the flexibility given DBS operators to provide services other than DBS on the DBS spectrum somehow did not encompass the EES service, a limited waiver of the allocation of the 12.2-12.7 GHz band to the Broadcasting-Satellite Service to accommodate EchoStar's plan would be amply justified. First, grant of the requested waiver would be consistent with the policy goals expressed by the Commission when it adopted a flexible use policy for DBS spectrum. Specifically, the Commission concluded "that the relaxation of use restrictions will encourage development of new telecommunications products and services."¹² Allowing EchoStar to provide imaging from the satellite's onboard camera in conjunction with its DBS service would do just that. Further, the Commission found that flexibility "may also increase efficient use of spectrum as a whole" by "allow[ing] licensees greater freedom in determining the specific services to be offered."¹³ That policy goal, too, would be furthered here.

polar interference contribution would increase to about six parts per thousand, and represent a C/I increase of 0.03 dB. This level of increased interference resulting from the satellite downlink antenna's non-compliance remains negligible relative to the main interfering signal.").

¹² *DBS Order* at ¶ 148.

¹³ *Id.*

Moreover, EchoStar believes that the use of a narrow sliver of spectrum will satisfy a significant demand on the part of consumers to witness weather phenomena and view images of the earth's surface in real time, and receive that service in an integrated offering with their multi-channel video service. EchoStar's plan therefore will yield public interest benefits by increasing the diversity of services and information consumers can receive from their MVPD provider.

In addition, EchoStar's plan would not cause harmful interference to DIRECTV. DIRECTV's three licensed channels (Channels 28, 30 and 32) are separated by approximately 400 MHz from the frequency EchoStar proposes to use to transmit EES images.¹⁴

Finally, EchoStar has already received a license to operate a private, space-based electro-optical remote sensing system from NOAA.¹⁵ In its March 6, 2007 authorization, NOAA found that EchoStar's earth exploration camera was consistent with current and expected national security, foreign policy, and commercial conditions. Without a frequency to transmit the images from EchoStar 11 back to earth, EchoStar would simply not be able to provide the service approved by NOAA.

VI. STATUS OF OPERATIONS

EchoStar intends to operate all of the transponders on this DBS satellite on a non-broadcast, non-common carrier basis.¹⁶ As with EchoStar's current services, service from the proposed EchoStar 11 satellite will be offered to consumers on a subscription basis.

VII. ITU COST RECOVERY

¹⁴ The DIRECTV channels are at 12618 MHz, 12647 MHz, and 12676 MHz.

¹⁵ *See* NOAA File No. ES-2006-L1.

¹⁶ *See* 47 C.F.R. §§ 25.114(c)(11), 25.114(d)(11).

EchoStar is aware that as a result of the actions taken at the 1998 Plenipotentiary Conference, as modified by the ITU Council in June 2001, processing fees are now charged by the ITU for satellite network filings. As a consequence, Commission applicants are responsible for any and all fees charged by the ITU. EchoStar hereby states that it is aware of, and unconditionally accepts, this requirement and its responsibility to pay any ITU cost recovery fees for the ITU filings associated with this application. Invoices for such fees may be sent to the contact representative listed in the accompanying FCC Form 312.

VIII. WAIVER PURSUANT TO SECTION 304 OF THE COMMUNICATIONS ACT

In accordance with Section 304 of the Communications Act of 1934, as amended, 47 U.S.C. § 304, EchoStar hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.

IX. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests that the Commission promptly grant this application for launch and operating authority as in the public interest, convenience and necessity.

Respectfully submitted,
EchoStar Satellite Operating Corporation

 /s/

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June 22, 2007