

RESPONSE TO QUESTION 36

In a letter dated May 27, 2009, the Satellite Division of the International Bureau (“IB”) returned the application of EchoStar Corporation (along with its subsidiaries, including EchoStar Satellite Operating Corporation, “EchoStar”) to operate a geostationary C-band satellite at the nominal 85° W.L. orbital location as unacceptable for filing, without prejudice to refiling. *See* Letter from Robert G. Nelson, Chief, Satellite Division, to Pantelis Michalopoulos, Counsel for EchoStar Corporation, DA 09-1149 (rel. May 27, 2009).

On July 29, 2010, the IB dismissed EchoStar’s application to construct, launch, and operate a C-band satellite at the 84.9° W.L. orbital location. EchoStar Corporation, Application to Operate a C-Band Geostationary Satellite Orbit Satellite in the Fixed-Satellite Service at the 84.9° W.L. Orbital Location, *Memorandum Opinion and Order*, DA 10-1401 (rel. July 29, 2010).

On July 26, 2011, the IB declared null and void EchoStar’s authorization to construct, launch, and operate a new Direct Broadcast Satellite at 86.5° W.L. for failure to meet the critical design review milestone, and rejected EchoStar’s request to modify its 86.5° W.L. authorization to allow the in-orbit EchoStar 8 satellite to provide service from that orbital location. *See* EchoStar Corporation, Certifications of Milestone Compliance, *Memorandum Opinion and Order*, DA 11-1251 (rel. July 26, 2011). EchoStar has filed a petition for reconsideration of the IB’s decision. *See* EchoStar Satellite Operating Corporation, Petition for Reconsideration, File Nos. SAT-LOA-2003-0609-00113, SAT-MOD-2081229-00239, SAT-MOD-20101124-00244, SAT-AMD-20110330-00065 (filed Aug. 25, 2011).