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JAN 03 2005

Policy Branch  
International Bureau

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DEC 28 2004

Policy Branch  
International Bureau

December 17, 2004

RECEIVED

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Federal Communications Commission  
Office of Secretary

Via HAND DELIVERY

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

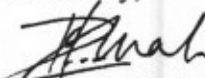
Re: **In-Orbit Collision Avoidance Statement for EchoStar-121W-KuX  
EchoStar Satellite L.L.C. -- SAT-LOA-20031215-00355, SAT-ASG-20041014-0200,  
SAT-MOD-20041102-00206, Call Sign 2609**

Dear Ms. Dortch,

Please find attached an amended in-orbit collision avoidance statement for EchoStar-121W-KuX. Due to an oversight, that statement inadvertently did not include a reference to Celsat America, Inc.'s licensed satellite at the 121° W.L. orbital location. The amended statement being filed today corrects that omission.

If you have any questions about this filing, please contact the undersigned.

Sincerely,



Philip L. Malet  
Chung Hsiang Mah  
Counsel for EchoStar Satellite L.L.C.

cc: Karl Kensinger, International Bureau

## IN-ORBIT COLLISION STATEMENT FOR 121° W.L.

In considering operational and planned satellites that may have a station-keeping volume that overlaps the EHOSTAR-121W-KuX satellite, EchoStar reviewed the lists of FCC licensed systems and systems that are currently under consideration by the FCC. In addition, non-USA networks for which a request for coordination has been submitted to the ITU in the vicinity of 121° W.L., have also been reviewed. Only those networks that either operate, or are planned to operate, and can have an overlapping station-keeping volume with the EHOSTAR-121W-KuX satellite have been taken into account in the analysis. For purposes of calculating potential station-keeping volume overlap, US satellites have been assumed to have a maximum east-west excursion of 0.05° from their nominal location, while non-US satellite networks have been assumed to have a maximum excursion of 0.1° from their nominal location.

Based on our review, there are no pending applications for a satellite network in the immediate vicinity of 121°W.L. EchoStar operates the Ku/Ka-band EHOSTAR-IX satellite at 121°W.L. The satellite also includes a C-band payload operated by INTELSAT North America L.L.C., operating under the authority of Papua New Guinea via the PACSTAR-L4 ITU network, and is authorized by the Commission to provide services to and from the U.S. EchoStar manages the flight control of the EHOSTAR-IX satellite.

The UK has submitted a request for coordination for the GIBSAT A2 network at 121°W.L. EchoStar can find no evidence that a satellite construction contract has been

awarded for this satellite, nor does the Federal Aviation Administration Commercial Space Station Fourth Quarter 2004 Report show a pending launch for a UK-authorized satellite to the 121°W.L. location.

Celsat America, Inc. ("Celsat") is authorized to operate a S- and Ka-band satellite at 121° W.L. Physical coordination of the EchoStar and Celsat satellites will be required. EchoStar will begin coordination with Celsat approximately two years before the expected launch of the ECHOSTAR-121W-KuX satellite.

There are a number of potential flight dynamic solutions to be explored in consultation with Celsat to ensure avoidance of in-orbit collision between the satellites, including the possibility of operating the satellites at small angular offsets from their nominal position. In the event that a coordination agreement requires operation of the ECHOSTAR-121W-KuX satellite at an offset from its assigned nominal position, EchoStar will seek any necessary modifications to its authorization from the Commission.

Stephen D. McNeil  
Telecomm Strategies Inc.