

**S2231 SAT-MOD-20061020-00126 IB2006002862**  
EchoStar Satellite Operating Corporation

Approved by OMB  
3060-0678

Date & Time Filed: Oct 20 2006 5:51:08:086PM  
File Number: SAT-MOD-20061020-00126

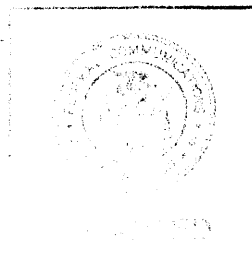
FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD – MAIN FORM	FCC Use Only
FCC 312 MAIN FORM FOR OFFICIAL USE ONLY	

**APPLICANT INFORMATION**

Enter a description of this application to identify it on the main menu:  
Application for Minor Modification of EchoStar's Authority to Operate EchoStar 2 at 148 W.L.

1-8. Legal Name of Applicant			
<b>Name:</b>	EchoStar Satellite Operating Corporation	<b>Phone Number:</b>	303-723-1000
<b>DBA Name:</b>		<b>Fax Number:</b>	303-723-1699
<b>Street:</b>	9601 South Meridian Boulevard	<b>E-Mail:</b>	
<b>City:</b>	Englewood	<b>State:</b>	CO
<b>Country:</b>	USA	<b>Zipcode:</b>	80112 -
<b>Attention:</b>	David K Moskowitz		

1



*w/feedback*

File # SAT-MOD-20061020-00126

Call Sign S2231 Grant Date 6/13/07  
(or other identifier)

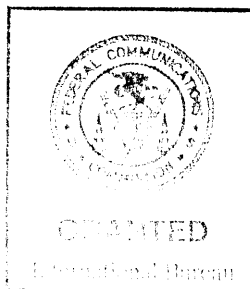
Term Dates  
From \_\_\_\_\_ To: 6/20/2016

Approved by *[Signature]*  
Policy Branch Chief

**Attachment**  
**File No. SAT-MOD-20061020-00126**  
**October 1, 2007**

EchoStar Satellite Operating Corporation's (EchoStar's) request, File No. SAT-MOD-20061020-00126, to extend the term of its authorization IS GRANTED. Accordingly, EchoStar IS AUTHORIZED to continue to operate its Direct Broadcasting Service (DBS) satellite, EchoStar 2 (Call Sign: S2231), at the 148.0° W.L. orbital location in the 12.2-12.7 GHz (space to Earth) and 17.3-17.8 GHz (Earth to space) frequency bands and to conduct Telemetry, Tracking, and Control (TT&C) operations at the 5923.5 MHz, 6426.6 MHz, 3698.5 MHz, and 3699.5 MHz frequencies to effect its operations at the 148.0° W.L. orbital location until November 26, 2016. EchoStar's operations must be in accordance with the technical specifications set forth in the application, EchoStar 2's current authorization, this Attachment, and the Commission's Rules, subject to the following conditions:

1. EchoStar shall operate the EchoStar 2 satellite at the 148.0° W.L orbital location in compliance with all existing coordination agreements for that location.
2. EchoStar shall operate the EchoStar 2 satellite at the 148.0° W.L orbital location with an east-west station-keeping tolerance of +/- 0.05 degrees. 47 C.F.R. 25.210(j).
3. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. 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, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.



*w/conditions*

File # SAT-MOD-20061020-00126

Call Sign S2231 Grant Date 10/1/07  
(or other identifier)

Term Dates  
From \_\_\_\_\_ To: 11/26/2016

Approved: [Signature]

*Policy Branch Chief*

9-16. Name of Contact Representative

<b>Name:</b>	Pantelis Michalopoulos	<b>Phone Number:</b>	202-429-3000
<b>Company:</b>	Step toe & Johnson LLP	<b>Fax Number:</b>	202-429-3902
<b>Street:</b>	1330 Connecticut Ave., NW	<b>E-Mail:</b>	pmichalo@step toe.com
<b>City:</b>	Washington	<b>State:</b>	DC
<b>Country:</b>	USA	<b>Zipcode:</b>	20036-
<b>Attention:</b>		<b>Relationship:</b>	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.

- a1. Earth Station
- a2. Space Station

- (N/A) 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
- b5. Assignment of License or Registration
- 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
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)

<p>17c. Is a fee submitted with this application?</p> <p><input type="radio"/> If Yes, complete and attach FCC Form 159. 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 checked="" type="radio"/> Other (please explain): This is a minor modification therefore no fee applies.</p>	
<p>17d.</p> <p>Fee Classification BFY – Space Station Modification(Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station: S2231</p>	<p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number:</p> <p>(a) Date pending application was filed:                      (b) File number:  SATMOD2003030300024</p>

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><input type="checkbox"/> Using U.S. licensed satellites</p> <p><input type="checkbox"/> Using Non-U.S. licensed satellites</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: 17800                      (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.

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

26. TYPE OF EARTH STATION FACILITY:

- Transmit/Receive    Transmit-Only    Receive-Only    N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- a — authorization to add new emission designator and related service
- b — authorization to change emission designator and related service
- c — authorization to increase EIRP and EIRP density
- d — authorization to replace antenna
- e — authorization to add antenna
- f — authorization to relocate fixed station
- g — authorization to change frequency(ies)
- h — authorization to add frequency
- i — authorization to add Points of Communication (satellites & countries)
- j — authorization to change Points of Communication (satellites & countries)
- k — authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l — authorization to change orbit location
- m — authorization to perform fleet management
- n — authorization to extend milestones
- o — Other (Please specify)

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?  Yes  No

30. Is the applicant an alien or the representative of an alien?  Yes  No  N/A

31. Is the applicant a corporation organized under the laws of any foreign government?  Yes  No  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?  Yes  No  N/A



<p>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?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A</p>
<p>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.</p>	

**BASIC QUALIFICATIONS**

<p>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.</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
<p>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.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p style="text-align: right;">Question 36</p>

<p>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.</p>	<p><input type="radio"/> Yes    <input checked="" type="radio"/> No</p>
<p>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</p>	<p><input type="radio"/> Yes    <input checked="" type="radio"/> No</p>
<p>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.</p>	<p><input type="radio"/> Yes    <input checked="" type="radio"/> No</p>
<p>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.</p>	<p>Question 40</p>

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.)

EchoStar Satellite Operating Corporation seeks to renew its authority to operate its EchoStar 2 satellite at the 148 W.L. orbital location. See attached narrative.

Narrative

**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.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing  
David K. Moskowitz

46. Title of Person Signing  
Executive Vice President, General Counsel

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**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).**

**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [jboley@fcc.gov](mailto:jboley@fcc.gov). PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

### **Response to Question 36**

In a Memorandum Opinion and Order released May 16, 2002, the Satellite Division of the International Bureau cancelled two conditional construction permits held by EchoStar affiliates for 22 channels at the 175° W.L. orbital location. *See In the Matter of EchoStar Satellite Corporation, Directsat Corporation, Direct Broadcasting Satellite Corporation, Consolidated Request for Additional Time to Commence Operation*, Memorandum Opinion and Order, DA 02-1164 (rel. May 16, 2002).

By Order released July 1, 2002, the International Bureau cancelled EchoStar's license for a Ka-band satellite system and dismissed a related modification application filed by EchoStar. *See In the Matter of EchoStar Satellite Corporation; Application for Authority to Construct, Launch, and Operate a Ka-band Satellite System in the Fixed-Satellite Service*, Memorandum Opinion and Order, DA 02-1534 (rel. July 1, 2002). On November 8, 2002, the International Bureau reinstated EchoStar's license for a Ka-band system as well as the related modification application. *See In the Matter of EchoStar Satellite Corporation; Application for Authority to Construct, Launch, and Operate a Ka-band Satellite System in the Fixed-Satellite Service*, Memorandum Opinion and Order, DA 02-3085 (rel. Nov. 8, 2002).

In a Memorandum Opinion and Order released April 29, 2004, the International Bureau denied, in part, four applications filed by EchoStar to operate GSO FSS satellites using the Ka and/or Extended Ku-bands at the 83° W.L., 105° W.L, 113° W.L, and 121° W.L orbital locations. *See In the Matter of EchoStar Satellite LLC, Applications for Authority to Construct, Launch, and Operate Geostationary Satellites in the Fixed-Satellite Service Using the Ka and/or Extended Ku Bands at the 83° W.L., 105° W.L, 113° W.L, and 121° W.L Orbital Locations*, Memorandum Opinion and Order, DA 04-1167 (rel. Apr. 29, 2004). EchoStar has petitioned for reconsideration of this decision.

In a Memorandum Opinion and Order released August 3, 2004, the International Bureau declared null and void the space station authorization held by VisionStar, an EchoStar affiliate, for use of the Ka-band at the 113° W.L. orbital location. *See VisionStar, Inc., Application for Modification of Authority to Construct, Launch and Operate a Ka-Band Satellite System in the Fixed Satellite Service*, Memorandum Opinion and Order, DA 04-2449 (rel. Aug. 3, 2004).

By letter dated May 19, 2005, the International Bureau denied EchoStar's applications for a Fleet Management Modification and for a Special Temporary Authority to move the EchoStar 4 satellite to 61.5° W.L., pending the Commission's consideration of another EchoStar request to move the satellite to 77° W.L., on the grounds that the purpose of the proposed fleet management modification was not consistent with the purposes of the Commission's rules and that there were no extraordinary circumstances for the grant of temporary authority. *See Letter from Thomas S. Tycz, Chief, Satellite Division, International Bureau, FCC to Pantelis Michalopoulos, Counsel to EchoStar Satellite L.L.C., DA 05-1405 (May 19, 2005).*

In a Memorandum Opinion and Order released June 3, 2005, the International Bureau denied EchoStar's application for a Special Temporary Authority to move the EchoStar 4 satellite to 77° W.L. on the grounds that EchoStar had failed to establish extraordinary circumstances for the grant of such authority. *See EchoStar Satellite L.L.C., Application for Special Temporary Authority to Conduct Telemetry, Tracking and Command Operations During the Relocation of EchoStar 4 to the 77° W.L. Orbital Location*, Memorandum Opinion and Order, DA 05-1581 (rel. Jun. 3, 2005). However, the International Bureau later granted partial reconsideration of this order and the applications related to moving the EchoStar 4 satellite to

77° W.L. are currently pending before the Commission. *See EchoStar Satellite L.L.C., Application for Special Temporary Authority to Conduct Telemetry, Tracking and Command Operations During the Relocation of EchoStar 4 to the 77° W.L. Orbital Location, Application for Modification of Direct Broadcast Satellite Authorization To Permit Long-Term Cessation of Operations at the 157° W.L. Orbital Location, Application for Modification of Earth Station Authorization to add the EchoStar 4 Satellite at 77° W.L. as a Point of Communication, Order on Reconsideration, DA 05-2067 (rel. Jul. 25, 2005).*



## RESPONSE TO QUESTION 40

### OWNERSHIP AND CORPORATE OFFICERS AND DIRECTORS

#### OWNERSHIP

EchoStar Satellite Operating Corporation is an indirect, wholly-owned subsidiary of EchoStar Communications Corporation (a Nevada corporation). The stockholders owning of record and/or voting 10 percent or more of the voting stock of EchoStar Communications Corporation include:

<u>Ownership Interest</u>	<u>Citizenship</u>	<u>Approx. Equity Interest<sup>1</sup></u>	<u>Approx. Voting Interest<sup>1</sup></u>
Charles W. Ergen <sup>2</sup> Chairman and CEO EchoStar Communications Corporation 9601 South Meridian Blvd. Englewood, CO 80112	USA	48.0%	72.8%
David K. Moskowitz <sup>3</sup> Executive Vice President and General Counsel 9601 South Meridian Blvd. Englewood, CO 80112	USA	19.9%	19.3%
T. Rowe Price Associates, Inc. 100 E. Pratt Street Baltimore, MD 21202	USA	10.5%	1.0%

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<sup>1</sup> As of August 31, 2006.

<sup>2</sup> Includes both Class A common and Class B common stock ownership. Class B common stock is owned through several trusts.

<sup>3</sup> Includes Class B Common Stock for which Mr. Moskowitz has voting power solely by virtue of his position as a trustee of several Ergen trusts.

## **CORPORATE OFFICERS AND DIRECTORS<sup>4</sup>**

### **EchoStar Communications Corporation**

#### **Executive Officers:**

Charles W. Ergen	Chief Executive Officer
James DeFranco	Executive Vice President
Carl E. Vogel	Vice Chairman
David K. Moskowitz	Executive Vice President, General Counsel and Secretary
Steven B. Schaver	President, EchoStar International Corporation
David J. Rayner	Executive Vice President and Chief Financial Officer
Mark W. Jackson	President, EchoStar Technologies Corporation
O. Nolan Daines	Executive Vice President, Broadband
Michael Kelly	Executive Vice President, Fixed Satellite Services and DISH Network Service L.L.C.
Michael T. Dugan	Chief Technical Officer

#### **Board of Directors:**

Charles W. Ergen	Chairman
Carl Vogel	
Steven R. Goodbarn	
James DeFranco	
David K. Moskowitz	
Cantey M. Ergen	
C. Michael Schroeder	
Michael T. Dugan	
Tom A. Ortolf	
Gary Howard	

### **EchoStar Satellite Operating Corporation**

#### **Executive Officers:**

Charles W. Ergen	President and Chief Executive Officer
James DeFranco	Executive Vice President
David K. Moskowitz	Executive Vice President, General Counsel, Corporate Secretary

#### **Board of Directors:**

Charles W. Ergen	Chairman
James DeFranco	
David K. Moskowitz	

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<sup>4</sup> The address for all officers and directors of EchoStar Communications Corporation and EchoStar Satellite Operating Corporation is 9601 South Meridian Blvd., Englewood, CO 80112.

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

In the Matter of: )  
)  
)  
EchoStar Satellite Operating Corporation ) Call Signs: DBS 88-01, DBS 88-02, S2231  
)  
Application for Renewal of Authority to ) IB File No. SAT-\_\_\_\_\_  
Operate EchoStar 1 and EchoStar 2 at )  
148° W.L. )  
)  
)  
)

**APPLICATION FOR RENEWAL OF AUTHORITY  
TO OPERATE ECHOSTAR 1 AND ECHOSTAR 2 AT 148° W.L.**

Pursuant to Sections 308 and 309 of the Communications Act of 1934, 47 U.S.C. §§ 308, 309, and Part 25 of the Commissions Rules, 47 C.F.R. Part 25, EchoStar Satellite Operating Corporation (“EchoStar”) hereby files this application<sup>1</sup> to renew its authority to operate its EchoStar 1 and EchoStar 2 satellites at the 148° W.L. orbital location to November 26, 2016.

The Commission originally granted EchoStar authority to operate these satellites at 119° W.L. on November 26, 1996.<sup>2</sup> The instruments of authorization stated that the term of

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<sup>1</sup> This application qualifies as a minor modification because it proposes no change to orbital location or authorized frequencies, nor will it increase the potential for interference. Rather, EchoStar is requesting renewal of its authority to continue operating its two current satellites at 148° W.L.

<sup>2</sup> See Letter from Donald H. Gips, Bureau Chief, Federal Communications Commission, to EchoStar Satellite Corporation, DA 96-1983 (Nov. 26, 1996); Letter from Donald H. Gips,

the licenses for the two satellites would expire on November 26, 2006. EchoStar received separate authority to operate 24 DBS channels (1-31 odd, 2-16 even) at 148° W.L. on December 20, 1996.<sup>3</sup> On April 27, 1998, the Commission authorized EchoStar to relocate and operate the EchoStar 1 satellite at 148° W.L. on channels 1-31 (odd).<sup>4</sup> EchoStar 1 began its licensed operations on those channels at 148° W.L. on December 15, 2000. On April 23, 2003, the Commission authorized EchoStar to operate the EchoStar 2 satellite on channels 2-16 (even) at 148° W.L.<sup>5</sup> That satellite was already operating on the even-numbered frequencies at that slot under Special Temporary Authority (“STA”).<sup>6</sup> On May 7, 2003, the Commission granted EchoStar a permanent authorization to operate on the remaining channels 18-32 (even) using EchoStar 2 at 148° W.L.<sup>7</sup>

Because the original EchoStar 1 and EchoStar 2 licenses bear an expiration date of November 26, 2006, EchoStar hereby requests a renewal of those licenses to continue

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Bureau Chief, Federal Communications Commission, to EchoStar Satellite Corporation, DA 96-1982 (Nov. 26, 1996).

<sup>3</sup> *Application of EchoStar DBS Corporation for Authority to Construct, Launch and Operate a Direct Broadcast Satellite System at 148° W.L.*, Order, 12 FCC Rcd. 11946 (1996).

<sup>4</sup> *EchoStar Satellite Corporation, Directsat Corporation, EchoStar DBS Corporation, Application for Authority to Make Minor Modifications to Direct Broadcast Satellite Authorizations, Launch, and Operational Authority*, Memorandum Opinion and Order, 13 FCC Rcd. 8595 (1998).

<sup>5</sup> *EchoStar Satellite Corporation, Application for Authority to Make Minor Modification of Direct Broadcast Satellite*, Order and Authorization, 18 FCC Rcd. 7886 (2003).

<sup>6</sup> EchoStar actually began operation on the even-numbered channels on December 21, 2001 pursuant to STA. For a description of the STAs granted with respect to EchoStar 2 at 148° W.L., *see id.* at ¶ 5 n.7.

<sup>7</sup> *EchoStar Satellite Corporation For Assignment of Direct Broadcast Satellite Orbital Position and Channels*, Order, 18 FCC Rcd. 9396 (2003).

**FCC Form 312**  
**Application Narrative**

operating both satellites at 148° W.L. for another ten years to November 26, 2016. EchoStar is currently providing international programming, business television, some high-definition (“HD”) programming, as well as some local-into-local programming using the EchoStar 1 and 2 satellites at the 148° W.L. EchoStar has provided continuous DBS service to customers throughout the continental United States from its various licensed orbital locations since 1996, and is now a leading multichannel video programming distributor (“MVPD”) with over 12 million subscribers.

The requested renewals will serve the public interest by enabling EchoStar to continue providing high-quality DBS services to its customers from the 148° W.L. orbital location. Continued access to the DBS frequencies at 148° W.L. is also important to ensure that EchoStar can continue to provide international, HD and local-into-local programming to subscribers. Local-into-local service, in particular, is key to the Commission’s goal of promoting localism and vital for ensuring that DBS providers can compete more effectively in the multichannel video programming distribution (“MVPD”) market. Indeed, EchoStar’s ability to compete in this market would be seriously impaired without the continued ability to provide service from the 148° W.L. orbital location.

For the foregoing reasons, EchoStar respectfully requests that the Commission grant this application for a minor modification to extend the expiration dates on the EchoStar 1 and EchoStar 2 licenses to November 26, 2016.

Respectfully submitted,

\_\_\_\_\_  
/s/  
David K. Moskowitz  
Executive Vice President and General Counsel  
**ECHOSTAR SATELLITE OPERATING  
CORPORATION**

October 20, 2006