

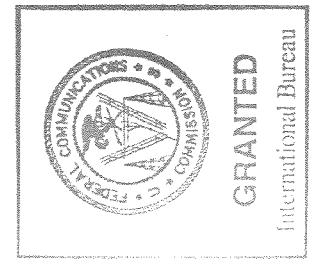
Approved by OMB
3060-0678

Date & Time Filed: Mar 23 2007 10:47:26:110AM
File Number: SAT-MOD-20070323-00055
112.85° W
Echo Ka-band @

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

APPLICANT INFORMATION
Enter a description of this application to identify it on the main menu:
Refiled Modification to Specify Precise Orbital Location for S2636 (113W Ka-band Satellite)

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: David K Moskowitz



File # SAT-MOD-20070323-00055
Call Sign S2636 Grant Date June 21, 2007
(or other identifier)
From launch Term Dates To: +15 years
Approved: [Signature] Policy Branch Chief

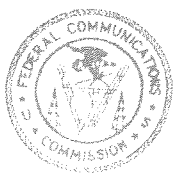
EchoStar Satellite Operating Corporation
Attachment - Conditions of Authorization
File No. SAT-MOD-20070323-00055
Call Sign: S2636

June 21, 2007

EchoStar Satellite Operating Corporation's (EchoStar) application, IBFS File No. SAT-MOD-20070323-00055, to modify its authorization to operate a Ka-band satellite, EchoStar-113, is GRANTED. Accordingly, EchoStar is authorized to operate its EchoStar-113 satellite, Call Sign: S2636, at the 112.85° W.L. orbital location using the 18.3-18.8 GHz, 19.7-20.2 GHz, 28.35-28.6 GHz, and 29.25-30.0 GHz frequency bands subject to the terms of its authorization,¹ as amended, the technical specifications set forth in its applications, the conditions set forth below, and the Federal Communication Commission's rules.

1. EchoStar must coordinate its downlink operations in the 18.3-18.8 GHz and 19.7-20.2 GHz frequency bands with U.S. Government systems, including Government operations to earth stations in foreign countries, in accordance with footnote US334 to the Table of Frequency Allocations, 47 C.F.R. § 2.106.
2. EchoStar has 30 days from the date of this grant to decline the authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
3. This grant is issued pursuant to 47 C.F.R. § 0.261 of the Commission's rules on delegated authority and is effective upon adoption. Petitions for reconsideration or Applications for Review under the Commission's rules, 47 C.F.R. §§ 1.106 and 1.115, may be filed within 30 days of the date of the public notice indicating this action was taken.

File # SAT-MOD-20070323-00055
Call Sign _____ Grant Date June 21, 2007
(or other identifier)
Term Dates
From launch To: +15 years
Approved: [Signature]
Policy Branch Chief


GRANTED
International Bureau
w/conditions

¹ File No. SAT-LOA-20040803-00154 (grant stamped with conditions on October 8, 2004), modified by File Nos. SAT-MOD-20051007-00198, SAT-AMD-20051118-00248 and SAT-AMD-20060724-00081 (granted stamped with conditions on October 19, 2006).

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 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
- b3. Amendment to a Pending Application
- b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- 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)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- b13. Amendment to a Pending Database Entry Application
- b14. Modification of Database Entry

<p>17c. Is a fee submitted with this application? <input checked="" 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). <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee <input checked="" type="radio"/> Other (please explain): Refiled application. See DA 07-1096, Footnote 4.</p>	<p>17d. Fee Classification BFY – Space Station Modification (Geostationary)</p>	<p>18. If this filing is in reference to an existing station, enter: (a) Call sign of station: S2636</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: (a) Date pending application was filed: (b) File number: SATMOD2005100700198</p>
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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:

a. Fixed Satellite
 b. Mobile Satellite
 c. Radiodetermination Satellite
 d. Earth Exploration Satellite
 e. Direct to Home Fixed Satellite
 f. Digital Audio Radio Service
 g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

Common Carrier Non-Common Carrier

22. If earth station applicant, check all that apply.

Using U.S. licensed satellites
 Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

Connected to a Public Switched Network Not connected to a Public Switched Network N/A

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

a. C-Band (4/6 GHz) b. Ku-Band (12/14 GHz)
 c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: 18300 Frequency Upper: 30000 (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.

- 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 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>Response to Q36</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 style="text-align: center;"> <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 style="text-align: center;"> <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 style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p style="text-align: center;">Cover Letter</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 style="text-align: right;">Response to Q40</p>	

<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"; party to the application; for these purposes.</p>	<p style="text-align: center;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </p>
<p>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.</p>	<p style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p style="text-align: center;">Attachment 1</p>
<p>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?</p>	<p style="text-align: center;">Attachment 1</p>
<p>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.)</p>	<div style="border: 1px solid black; padding: 5px;"> <p>By this application, EchoStar Satellite Operating Corporation specifies 112.85 W.L. as the precise orbital location for S2636, and provides the information required under Section 25.114(d)(14)(iii) of the Commission's Rules for that orbital location. Please see the attached Response to Q.43 and Attachment 1 for additional detail.</p> </div> <p>Response to Q43</p>

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 and General Counsel

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. 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.

Q. 43 - Description of Application

By this modification application, EchoStar Satellite Operating Corporation specifies 112.85° W.L. as the precise orbital location for the EchoStar-113 satellite (S2636). Attachment 1 to this application provides the information required under Section 25.114(d)(14)(iii) of the Commission's Rules, 47 C.F.R. § 25.114(d)(14)(iii), for this orbital location. *See* March 8, 2007 letter from Robert G. Nelson, Chief, Satellite Division to David K. Moskowitz, Re: EchoStar Satellite Operating Corporation File No. SAT-MOD-20061218-00154 Call Sign: S2636, DA 07-1096.

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's petition for reconsideration of this decision was denied. *See In the Matter of EchoStar Satellite LLC*,

Petition for Reconsideration, 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 06-865 (rel. Apr. 14, 2006).

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 then granted EchoStar's request to move the satellite to 77° W.L. where it would operate pursuant to Mexican 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*, Order on Reconsideration, DA 05-2067 (rel. Jul. 25, 2005) and *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*, Order and Authorization, DA 06-868 (rel. Apr. 18, 2006).

STEPTOE & JOHNSON^{LLP}

ATTORNEYS AT LAW

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202.429.6494
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1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Tel 202.429.3000
Fax 202.429.3902
steptoe.com

March 23, 2007

Electronic Filing

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: SAT-MOD-20050323, File No. SAT-MOD-20061218-00154, Call Sign S2636, DA 07-1096

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation ("EchoStar") is hereby submitting this modification application in response to the above-captioned March 8, 2007 letter from Robert G. Nelson, Chief, Satellite Division to David K. Moskowitz, and also based on oral guidance received from the Division. Specifically, the application includes an analysis under Section 25.114(d)(14)(iii) of the Commission's Rules, 47 C.F.R. § 25.114(d)(14)(iii), in support of EchoStar's request to operate the EchoStar-113 satellite at the 112.85° W.L. orbital location instead of the authorized 113.0 W.L. orbital location. Please feel free to contact me if you have any questions about this modification application.

Sincerely,



Pantelis Michalopoulos
Counsel for EchoStar Satellite Operating Corporation

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 Interest¹</u>	<u>Approx. Voting Interest¹</u>
Charles W. Ergen ² Chairman and CEO EchoStar Communications Corporation 9601 South Meridian Blvd. Englewood, CO 80112	USA	49.3%	76.8%
David K. Moskowitz ³ Executive Vice President and General Counsel 9601 South Meridian Blvd. Englewood, CO 80112	USA	16.5%	15.3%
T. Rowe Price Associates, Inc. 100 E. Pratt Street Baltimore, MD 21202	USA	10.5%	1.0%

¹ As of November 10, 2006.

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

³ 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 DIRECTORS⁴

EchoStar Communications Corporation

Executive Officers:

Charles W. Ergen	Chief Executive Officer
James DeFranco	Executive Vice President
Carl E. Vogel	President and Vice Chairman
David K. Moskowitz	Executive Vice President, General Counsel and Secretary
Steven B. Schaver	President, EchoStar International Corporation
Bernard L. Han	Executive Vice President and Chief Financial Officer
David J. Rayner	Executive Vice President, Installation and Service Network
Mark W. Jackson	President, EchoStar Technologies Corporation
O. Nolan Daines	Executive Vice President, Broadband
Michael Kelly	Executive Vice President, Fixed Satellite Services Business Development
StephenWood	Executive Vice President, Human Resources

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

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

Board of Directors:

Charles W. Ergen Chairman

James DeFranco

David K. Moskowitz

Attachment 1

ECHOSTAR-113W Safe Flight Profile

EchoStar Satellite Operating Corporation (“EchoStar”) hereby provides the information required under Section 25.114(d)(14)(iii) of the Commission’s Rules, 47 C.F.R. §25.114(d)(14)(iii), in support of its modification request to locate its Ka-band satellite at 112.85° W.L. instead of the authorized 113.0° W.L. orbital location. EchoStar has Commission authorization to operate the ECHOSTAR-113W satellite at 113° W.L. with an east-west station-keeping tolerance of ± 0.05 degrees. Satelites Mexicanos, S.A. de C.V. (“SatMex”) operates the SATMEX-6 satellite at 113° W.L. with an east-west station-keeping tolerance of ± 0.05 degrees.¹ In order to eliminate the possibility of an in-orbit collision between the two satellites, EchoStar proposes to locate its satellite at 112.85° W.L.

EchoStar has reviewed the list of satellite networks licensed by the Commission to operate in the vicinity of 112.85°W, as well as those currently under consideration by the Commission. In addition, EchoStar has reviewed networks for which a request for coordination has been published by the ITU within ± 0.15 degrees of 112.85° W.L.

Based on this review, the only operational satellite in the vicinity of 112.85° W.L. is the previously identified SATMEX-6 satellite at 113° W.L. There are no pending applications before the Commission to use an orbital location within ± 0.15 degrees of 112.85° W.L. With regard to ITU filings, there are networks filed by Australia, Canada, Mexico, the U.K. and the U.S.A. (filed on behalf of EchoStar), all of which are located at 113° W.L. Other than Mexico and the U.S.A., EchoStar can find no evidence that the other administrations have plans to implement their networks.

With the proposed orbital location of 112.85° W.L., the offset from 113° W.L. eliminates the possibility of any station-keeping volume overlap with the SATMEX-6 satellite. Based on the foregoing, EchoStar notes that there is no requirement to physically coordinate the ECHOSTAR-113W satellite with another satellite operator at the present time. Nevertheless, out of an

¹ See SAT-PPL-20060329-00030.

Attachment 1

abundance of caution, EchoStar is continuing to consult with SATMEX to ensure safe flight for both spacecraft.