

FILED ELECTRONICALLY VIA IBFS

February 2, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
International Bureau
445 12th Street, S.W.
Washington, DC 20554

Re: DISH Operating L.L.C., Call Sign 2658, SAT-MOD-20091027-00114, SAT-AMD-20100510-00096

Dear Ms. Dortch:

DISH Operating L.L.C. (“DISH”) and EchoStar Corporation (“EchoStar”) provide updated information regarding the above-referenced application and amendment filed by DISH requesting that the Commission authorize a period of temporary absence of satellites from its licensed Direct Broadcast Satellite (“DBS”) channels at 148° W.L. In sum, the expected launch of EchoStar 16 and commencement of operations of QuetzSat-1 will make a number of satellites potentially available for a move to 148° W.L. DISH also requests that the Commission hold this proceeding in abeyance until 90 days after the launch of the EchoStar 16 satellite, which is planned for later this year. DISH expects that the fleet redeployment plans of itself and its partner EchoStar will have crystallized by that time.

By way of background, DISH acquired the license for 24 of the 32 channels at 148° W.L. at auction, having submitted the winning bid of just over \$52 million in 1996. DISH also received a license for the remaining eight channels in 2003. DISH used the 148° W.L. orbital location without interruption for a period of about nine years and by means of a number of satellites, from the relocation of EchoStar 1 to the orbital location in 2000 until the de-orbiting of EchoStar 5 in 2009. The current absence of satellites from 148° W.L. was not planned, but was the result of two serious mishaps. In 2008, the EchoStar 2 satellite suffered a catastrophic loss. In 2009, the EchoStar 5 satellite prematurely reached its end of life and was retired and de-orbited.

In October 2009, DISH accordingly requested authority under Section 25.161(c) of the Commission’s Rules to allow DISH to suspend operations on its licensed DBS frequencies at 148° W.L. for more than 90 days, until it could free up and relocate a suitable satellite to replace the EchoStar 5 satellite. At the time, DISH noted that it might resume operations over the 32

DBS channels at 148° W.L. “using the EchoStar 8 satellite, or another satellite in DISH’s fleet if one were to become available.”¹ The focus on EchoStar 8 in DISH’s and EchoStar’s tentative plans has since been modified. EchoStar 8 presently serves as a back-up satellite at the 77° W.L. orbital location.

Nevertheless, a number of satellites in the fleets of EchoStar and DISH are potentially available for a move to 148° W.L., but those plans can only be tentative at this time pending the launch of the EchoStar 16 satellite (currently scheduled for August 2012). Successfully placing EchoStar 16 into operation, coupled with the commencement of operations of QuetzSat-1, another newly launched satellite to which EchoStar has rights, should provide DISH and EchoStar with the necessary flexibility and resources to rationalize and maximize deployment of their satellite fleets. Specifically, successful deployment of EchoStar 16 at 61.5° W.L. will free up the EchoStar 3, EchoStar 12 and EchoStar 15 satellites for potential redeployment. Moreover, the 77° W.L. nominal orbital location is now populated by three satellites – EchoStar 1, EchoStar 6 and EchoStar 8. Adjustments to DISH’s and EchoStar’s fleets following EchoStar 16’s launch may free up EchoStar 8 to move to 148° W.L., as originally planned, or alternatively any of the above-mentioned satellites may become available for a move to that location.

Only once EchoStar 16 is placed into operation will it be possible for EchoStar and DISH to determine which satellites should be positioned at each assigned and applied-for orbital location. Consequently, DISH requests that the Commission hold its request in abeyance until 90 days after launch of the EchoStar 16 satellite.

Granting the requested additional time will help the cause of putting 148° W.L. back to use without prejudicing any other party, as the Commission does not yet have in place a reassignment method for relicensing the channels at 148° W.L. DISH has a long and productive history of using these DBS frequency channels to benefit consumers.

Please feel free to contact the undersigned with any questions regarding this submission.

¹ File Nos. SAT-MOD-20091027-00114, Narrative at 4 (filed Oct. 27, 2009).

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Sincerely,

/s/

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/s/

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