

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

In the Matter of:)
EchoStar Corporation)
Application for Renewal of Authority to) Call Signs: S2232
Operate EchoStar 6) File No. SAT-MOD-20100720-_____
and)
Application to Extend Authority to Operate)
EchoStar 6 at 61.65° W.L.)

APPLICATION FOR RENEWAL AND EXTENSION OF AUTHORITY

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 Corporation (“EchoStar”) files this application¹ to renew its authority to operate its EchoStar 6 satellite until August 11, 2020, and to extend its authority to operate the satellite at 61.65° W.L.²

I. Background

On May 19, 1999, MCI Telecommunications Corporation was granted authority to assign its authorization to construct, launch and operate a DBS system using 28 channels at

¹ 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 current satellite and an extension of its previously granted authority to operate at 61.65° W.L.

² *Stamp Grant*, File No. SAT-A/O-20100203-00019 (granted July 2, 2010) (“61.65° W.L. Grant”).

110° W.L.³ to EchoStar's predecessor, EchoStar 110 Corp.⁴ EchoStar was initially authorized to operate its satellites EchoStar 5 and 6 at that location.⁵ Subsequently, EchoStar received authority to launch and operate EchoStar 6 at the 119.05° W.L. orbital location.⁶

The satellite was launched in July 2000, and, since that time, it has played an integral role in EchoStar's service offering and has allowed EchoStar to maximize its licensed spectrum and leverage spectrum available from foreign DBS orbital locations. For example, from the end of 2008 until February 2010, EchoStar 6 was providing service into the U.S. as a Canadian-licensed satellite at 72.7° W.L. pending the launch of Telesat Canada's Nimiq 5 satellite.⁷ Around the time Nimiq 5 was brought into service, EchoStar's EchoStar 3 satellite suffered a Traveling Wave Tube Amplifier anomaly threatening its ability to provide a sufficient level of service from the nominal 61.5° W.L. orbital location. EchoStar was able to quickly respond to this event by redeploying EchoStar 6 to 61.65° W.L. to provide supplemental service in the event EchoStar 3 suffered further technical problems.⁸ Such redeployment was timely as

³ *MCI Telecommunications Corporation, Application for Authority to Construct, Launch and Operate a Direct Broadcast Satellite System at 110° W.L.*, Order, DA 96-2165, 12 FCC Rcd. 12538 (1996).

⁴ *Application of MCI Telecommunications Corp., Assignor, and EchoStar 110 Corp., Assignee*, Order and Authorization, FCC 99-109, 16 FCC Rcd. 21608 (1999) ("MCI/EchoStar 110 Order").

⁵ *Application of MCI Telecommunications Corp. for Modification of Direct Broadcast Satellite Authorization*, Memorandum Opinion and Order, DA 99-1125, 14 FCC Rcd. 9966 (1999); *see also MCI/EchoStar 110 Order*.

⁶ *EchoStar Satellite Corporation Application for Authority to Make Minor Modifications to Direct Broadcast Satellite Authorizations, Launch and Operation Authority*, Memorandum Opinion and Order, DA 00-2382, 15 FCC Rcd. 23636 (2000).

⁷ *Stamp Grant*, File No. SAT-STA-20080512-00103 (granted July 2, 2008).

⁸ *See 61.65° W.L. Grant*.

EchoStar 3 suffered an additional anomaly in early May, leading EchoStar to activate the EchoStar 6 communications payload.⁹ As a result, EchoStar 6 is currently operating over certain channels licensed to EchoStar at the nominal 61.5° W.L. orbital location.

As noted in its application for authority to operate EchoStar 6 at that location, EchoStar plans to relocate the satellite to another orbital location, pursuant to separate Commission authorization, once its EchoStar 15 satellite becomes fully operational.¹⁰

II. The Requested Renewal and Extension of Authorization Is in the Public Interest

While the original order granting MCI authority to operate at 110° W.L. does not identify a specific license expiration date, Section 25.121(d) of the Commission's rules in effect at the time EchoStar 6 was launched established a term of ten years for DBS satellites beginning at 3 am EST on the date that the licensee certified the satellite had been successfully placed into orbit. 47 C.F.R. §25.121(d) (1999). Additionally, the Bureau indicated in the *61.65° W.L. Grant* that the term of the EchoStar 6 satellite expires on August 11, 2010, ten years after the satellite was launched.¹¹ Therefore, EchoStar requests a renewal of its authority to operate EchoStar 6 for an additional ten years to August 11, 2020. Because the *61.65° W.L. Grant* will also expire at the end of the satellite's ten-year term, EchoStar requests that the grant be extended for a period co-extensive with the satellite term.

The requested renewal will serve the public interest by enabling EchoStar to continue providing high-quality DBS services to its customers from the EchoStar 6 satellite. It

⁹ See Letter to Marlene H. Dortch, Secretary, FCC, from Petra Vorwig, Counsel for EchoStar Corporation (May 3, 2010), *filed in* File Nos. SAT-STA-20100401-00062, SAT-STA-20100203-00020.

¹⁰ EchoStar 15 was successfully launched on July 10, 2010.

¹¹ *61.65° W.L. Grant* at ¶ 4.

will also ensure EchoStar can maintain the flexibility it needs to redeploy its satellite fleet to provide international, HD and local-into-local programming to subscribers.

Additionally, EchoStar 6's continued operations at 61.65° W.L. will protect consumers from a potential loss of service resulting from the anomalies suffered by EchoStar 3. Because EchoStar 15 has not yet been brought into service, it is crucial that EchoStar retain the ability to provide service over EchoStar 6 at 61.65° W.L.

III. Conclusion

For the foregoing reasons, EchoStar respectfully requests that the Commission grant this application to renew its authority to operate the EchoStar 6 satellite to August 11, 2020, and to extend its authority to operate the satellite at 61.65° W.L. for a co-extensive term.

Respectfully submitted,

EchoStar Corporation

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