

EXHIBIT 1

DESCRIPTION OF PROPOSED MODIFICATION (Response to Question 43)

Pursuant to 47 C.F.R. § 25.117, DISH Operating L.L.C. (with its affiliates, “DISH”) requests modifications to: (i) change the assigned orbital location of the EchoStar 18 satellite (Call Sign S2931) from 109.9° W.L. to 61.35° W.L.; and (ii) permit EchoStar 18 to operate as an in-orbit spare at 61.35° W.L. The proposed modifications will serve the public interest by enhancing the reliability and efficient management of the DISH satellite fleet and ensuring continuity of satellite television services for the benefit of U.S. consumers.

DISH is seeking authorization to conduct telemetry, tracking, and command (“TT&C”) operations only, and will seek additional authority prior to operating the satellite’s communications payload. EchoStar 18 will operate at 61.35° W.L. in accordance with the U.S. filings with the International Telecommunication Union (“ITU”) for the USABSS-37 network. The attached Schedule S and Technical Annex contain the technical and orbital debris mitigation information required under 47 C.F.R. § 25.114.¹

I. BACKGROUND

DISH currently provides satellite television service to millions of customers from the 110° W.L. orbital cluster by using both the EchoStar 10 and EchoStar 11 satellites.² Additionally, DISH is licensed to construct, launch, and operate a new DBS satellite, EchoStar

¹ Although DISH at this time is seeking authorization for TT&C operations only, the attached Schedule S and Technical Annex also include information related to the satellite’s communications functions so as to provide a complete record.

² See EchoStar Satellite Operating Corp., *Stamp Grant*, IBFS File No. SAT-LOA-20051221-00267 (granted May 11, 2006) (granting EchoStar 10 satellite license); EchoStar Satellite Operating Corp., *Stamp Grant*, IBFS File No. SAT-LOA-20070622-00085 (granted Jan, 11, 2008) (granting EchoStar 11 satellite license).

18, at 109.9° W.L.³ Although DISH is authorized to construct and launch EchoStar 18 with the capability of operating on all 32 DBS channels,⁴ the satellite's operating authority is limited to the 29 DBS channels (*i.e.*, all DBS channels excluding channels 28, 30, and 32) assigned at the nominal 110° W.L. orbital location.⁵ DISH also is authorized to operate EchoStar 18 initially as an in-orbit spare for the EchoStar 10 satellite (Call Sign S2694) at 110.2° W.L., prior to activating the communications payload to provide DBS service.⁶

DISH previously anticipated that EchoStar 18 would operate initially as an in-orbit spare and eventually replace EchoStar 10 in providing service from the 110° W.L. orbital cluster. Since then, however, DISH has determined that operating EchoStar 18 as an in-orbit spare at 61.35° W.L. would be an efficient use of its satellite fleet. Currently, DISH relies primarily upon the EchoStar 16 satellite to provide service from the nominal 61.5° W.L. orbital cluster, while the EchoStar 3, EchoStar 12, and EchoStar 15 satellites serve largely as in-orbit spares located within the cluster.

EchoStar 18 was launched successfully on June 18, 2016. Following launch and orbit-raising maneuvers, EchoStar 18 has been moved temporarily to 67.2° W.L. to permit in-orbit testing for approximately 60 days, pursuant to special temporary authority ("STA").⁷ Upon completion of in-orbit testing, DISH seeks to move EchoStar 18 to its proposed assigned orbital

³ See DISH, *Stamp Grant*, IBFS File No. SAT-LOA-20141002-00105, at 1 (granted Mar. 12, 2015) ("*EchoStar 18 License*").

⁴ As noted in the attached Technical Annex, EchoStar 18 is capable of using all 32 DBS uplink channels and 16 DBS downlink channels (*i.e.*, channels 17 through 32). See Attachment A (Technical Annex) at 1.

⁵ See *EchoStar 18 License* at 1 n.1; see also *EchoStar Satellite Corp.*, Memorandum Opinion and Order, 15 FCC Rcd 6727, ¶¶ 2-3 (1999).

⁶ See *EchoStar 18 License* at 1.

⁷ See See DISH, IBFS File No. SAT-STA-20160504-00044 (granted June 8, 2016); EchoStar, IBFS File No. SES-STA-20160202-00110 (granted June 8, 2016); EchoStar, IBFS File No. SES-STA-20160601-00469 (granted June 8, 2016); EchoStar, IBFS File No. SES-STA-20160601-00470 (granted June 8, 2016); EchoStar, IBFS File No. SES-STA-20160512-00432 (granted June 8, 2016).

location at 61.35° W.L. (in lieu of the currently assigned orbital location at 109.9° W.L.). There, the satellite will operate as an in-orbit spare for TT&C communications only.

II. THE PROPOSED MODIFICATIONS WILL SERVE THE PUBLIC INTEREST

Grant of this application will serve the public interest by allowing DISH to operate an additional satellite as an in-orbit spare, thus enhancing the reliability of its satellite fleet and ensuring continuity of satellite television services for the benefit of U.S. consumers. It also will provide DISH with greater flexibility to manage its satellite fleet efficiently, consistent with the Commission's longstanding policy of leaving fleet management decisions to satellite operators.⁸ Consequently, the proposed operations will allow DISH to better satisfy service demands and ensure sufficient available capacity for its satellite television network.

DISH will operate EchoStar 18 at 61.35° W.L. under U.S. ITU filings for the USABSS-37 network, and pursuant to an agreement with EchoStar Satellite Operating Corporation, which is authorized to use DBS channels 3 through 32 at the nominal 61.5° W.L. orbital location.⁹ As discussed in Appendix 1 of the attached Technical Annex, of the three adjacent Region 2 Broadcast-Satellite Service ("BSS") networks determined to be potentially affected by the proposed EchoStar 18 operations, one BSS network is covered under an existing coordination agreement, and the other two BSS networks are required to coordinate with the USABSS-37

⁸ See *AMSC Subsidiary Corporation*, Order and Authorization, 13 FCC Rcd 12316, 12318 ¶ 8 (IB 1998) (the satellite licensee "is in a better position to determine how to tailor its system to meet the particular needs of its customers," and the Commission "will generally grant a [satellite] licensee's request to modify its system, provided there are no compelling countervailing public interest considerations"); *SES Americom, Inc.*, Order and Authorization, 21 FCC Rcd. 3430, 3433 ¶ 8 (2006) (FCC "generally has allowed satellite operators to rearrange satellites in their fleet to reflect business and customer considerations where no public interest factors are adversely affected").

⁹ See *EchoStar Satellite Operating Corp.*, Order and Authorization, 27 FCC Rcd 7138, ¶¶ 10-11 (IB 2012) (granting modification to permit use of DBS channels 3 through 32 at the nominal 61.5° W.L. orbital location).

network at the nominal 61.5° W.L. orbital location.¹⁰ As further noted in Appendix 1, DISH will coordinate, as appropriate, with the fixed-satellite service networks determined to be potentially affected by the proposed EchoStar 18 operations.¹¹

III. CONCLUSION

Based upon the foregoing, Commission grant of the proposed modifications (*i.e.*, changing EchoStar 18's assigned orbital location to 61.35° W.L. and permitting EchoStar 18 to operate as an in-orbit spare at 61.35° W.L.) will serve the public interest, and will have no substantial adverse impact on other authorized networks.

¹⁰ See Attachment A (Technical Annex), App. 1 at A1-2.

¹¹ See *id.* at A1-4.