

Pantelis Michalopoulos
202.429.6494
pmichalo@steptoe.com

August 5, 2004

VIA HAND DELIVERY

Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Int'l Bureau

AUG 13 2004

Front Office

Received Federal Communications Commission
Office of Secretary

AUG 20 2004

Policy Branch
International Bureau

RECEIVED

AUG - 5 2004

**Re: EchoStar Satellite L.L.C. (f/k/a EchoStar Satellite Corporation)
File No. SAT-PDR-19991217-00128 (Old File No. 74-SAT-P/L-96)**

Dear Ms. Dortch:

On behalf of EchoStar Satellite L.L.C. ("EchoStar"), formerly known as EchoStar Satellite Corporation, I am writing to withdraw the above-captioned Request for a Declaratory Ruling ("Request"), filed December 17, 1999. In the Request, EchoStar asked that the Commission find that EchoStar satisfied all of the construction and operation milestones of its authorization to construct, launch and operate a Direct Broadcast Satellite ("DBS") system over 24 channels at the 148° W.L. orbital location. Alternatively, EchoStar requested additional time to satisfy these milestones.

EchoStar 1 and EchoStar 2 have been operating at the 148° W.L. orbital location since 2000 and 2001, respectively, thereby mooted this Request.¹ Accordingly, there is no need

¹ See *EchoStar Satellite Corp.*, Memorandum Opinion and Order, 13 FCC Rcd. 8595 (1998) (granting EchoStar authority to relocate and operate EchoStar 1 at the 148° W.L. orbital location); *EchoStar Satellite Corp.*, Order and Authorization, 18 FCC Rcd. 7886 (2003) (granting EchoStar authority to relocate and operate EchoStar 2 at the 148° W.L. orbital location); see also *EchoStar Satellite Corp.*, Order, 18 FCC Rcd. 9396 (2003) (authorizing EchoStar to operate EchoStar 2 to provide DBS service from channels 18-32 (even) at the 148° W.L. orbital location).

Marlene H. Dortch
August 5, 2004
Page 2

to burden Commission resources with further processing of the Request. EchoStar reserves to the fullest extent its right to reinstate its Request if the Commission were to disagree with the basis for this letter.

Sincerely,



Pantelis Michalopoulos
Counsel for EchoStar Satellite L.L.C.