Date & Time Filed: Oct 27 2005 5:06:08:410PM File Number: SAT-STA-20051027-00207

Callsign: 52621

FEDERAL COMMUNICATIONS COMMISSION APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Application to Extend Authority to Operate EchoStar 4 (S2621) at 77 W.L. for an Additional 30 Days

1. Applicant

Name: EchoStar Satellite Operating

Phone Number:

303-723-1000

Corporation

Fax Number:

303-723-1699

Street:

DBA Name:

9601 South Meridian Boulevard

E-Mail:

City:

Englewood

State:

CO

Country:

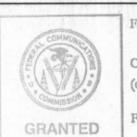
USA

Zipcode:

80112

Attention:

David K Moskowitz



International Bureau
W/conditions

File # SAT - STA - 2005 1027-00207

Call Sign S262 Grant Date 14 06

(or other identifier)

Term Dates

To: 12/3/05

proved: Anhal 1000

ATTACHMENT

IBFS File Nos. SAT-STA-20051027-00207, SAT-STA-20051128-00255, and SAT-STA-20051222-00268 Call Sign: S2621

Grant Date: January 4, 2006

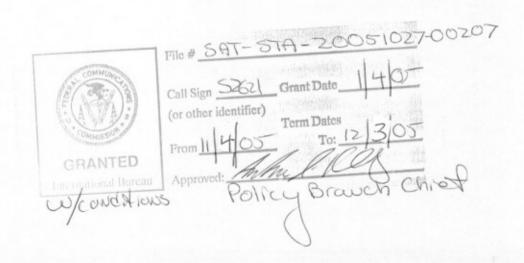
EchoStar Satellite, LLC's (EchoStar's) requests, File Nos. SAT-STA-20051027-00207, SAT-STA-20051128-00255, and SAT-STA-20051222-00268, ARE GRANTED. Accordingly, EchoStar IS AUTHORIZED to continue to conduct Tracking, Telemetry, and Command (TT&C) necessary to maintain the EchoStar 4 satellite at the 77° W.L. orbital location through and until February 1, 2006. EchoStar IS ALSO AUTHORIZED to continue to operate at the 77° W.L. orbital location through and until February 3, 2006. This authorization is subject to the following conditions:

- At the 77° W.L. orbital location, Echostar shall operate so as not to exceed, under any conditions, and taking into account all variations in satellite attitude, the parameters specified in Attachment A of the Letter, dated May 10, 2005, from Pantelis Michalopoulos to the Secretary, FCC.
- All operations at the 77° W.L. orbital location shall be on a non-harmful interference basis, i.e., EchoStar Satellite LLC shall not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating satellites or radio communication service.
- In the event of any harmful interference as a result of EchoStar's operations at the 77°
 W.L. orbital location, EchoStar shall cease operations immediately upon notification of such interference and shall inform the FCC, in writing, immediately of such an event.
- EchoStar shall inform its customers that operations at the 77° W.L. orbital location are on a non-harmful interference basis and that EchoStar must cease operations upon notification of such interference.
 - 5. EchoStar shall maintain full operational control of the EchoStar 4 satellite at all times.
- 6. This authorization is issued on the express understanding that, to the extent EchoStar, pursuant to its agreement with SES Latin America, a private company, and its affiliated companies, will conform its operations to any parameters agreed to in coordination agreements between the Administration of Mexico and other Administrations, responsibility for both compliance with and enforcing compliance with those agreements is a matter which would arise under private law.
- This authorization is issued with the understanding that this grant is not an approval
 of any specific agreement entered into by EchoStar, its subsidiaries, and affiliates, nor of any

On July 6, 2005, the Satellite Division granted IBFS File No. SAT-STA-20050701-00142. See Public Notice, Report No. SAT-00306 (rel. July 8, 2005). The Satellite Division granted renewal requests for this STA on August 5, 2005, IBFS File No. SAT-STA-20050803-00157, Public Notice, Report No. SAT-00313 (rel. August 12, 2005); on September 10, 2005, IBFS File No. SAT-STA-20050826-00167, and on October 27, 2005, IBFS File No. SAT-STA-20051018-00202.

specific provision of any such agreement, concerning operation of the EchoStar 4 satellite, nor is it an approval of an agreement concerning any related matter, nor of any specific provision of any such agreement concerning any related matter.

- In connection with the provision of service in any particular country, EchoStar is
 obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that
 country.
- 9. This authorization is issued with the understanding that the United States remains the licensing administration of the EchoStar 4 satellite for purposes of ITU Radio Regulation 18.1 unless and until the FCC expressly approves a transfer of responsibility to another licensing administration, and that operations of the EchoStar 4 satellite while the FCC remains the licensing administration are pursuant to ITU Radio Regulation 4.4.
- 10. This authorization is issued with the understanding that with respect to its filings with the ITU for the 77° W.L. orbital location, the Administration of Mexico is not acting pursuant to Article 9 of the Radio Regulations on behalf of the United States Administration.
- 11. This authorization is issued with the understanding that this grant does not in any way express a view concerning, or agreement as to, the validity or lack of validity of any ITU filing at or within the vicinity of the 77° W.L. orbital location.
- 12. Grant of this authorization does not convey to EchoStar any authority to operate a replacement satellite at the 77° W.L. orbital location or any priority in the United States satellite licensing process relative to applications for authority to operate a regularly authorized satellite at this orbital position.
- 13. Grant of this authority is without prejudice to action on EchoStar's STA request, File No. SAT-SAT-20050321-00068 (Call Sign S2621), or EchoStar's application for Modification of an Earth Station authorization, SES-MFS-20050527-00662 (Call Sign E020306).



				ALL STATE OF THE STATE OF
2. Contact				
Name:	Pantelis Michalopoulos	Phone Number:	202-429-6494	
Compa	ny: Steptoe & Johnson LLP	Fax Number:	202-429-3902	
Street:	1330 Connecticut Ave., NW	E-Mail:	pmichalo@steptoe.com	
City:	Washington	State:	DC	
Countr	y: USA	Zipcode:	20036 -1795	
Attention:		Relationship:	Legal Counsel	
	Entity O Noncommercial educ	No, indicate reason for fee exemption ational licensee	n (see 47 C.F.R.Section 1.1114).	
	ion CRY - Space Station (Geosta	ationary)		
5. Type Request				
O Change Static	on Location 💿	Extend Expiration Date	Other	
6. Temporary Orb 77 W.L.	it Location		7. Requested Extended Expiration Date 2005–12–04 00:00:00.0	

See attached narrative			n to view it in its entirety.)
9. By checking Yes, the undersigned co to a denial of Federal benefits that incl 21 U.S.C. Section 862, because of a co 1.2002(b) for the meaning of "pa	ludes FCC benefits pursuant to proviction for possession or dist	Section 5301 of the Anti-Drug Acribution of a controlled substance.	et of 1988, See 47 CFR
David K. Moskowitz		Executive vice Flesidelit and C	deliciai Counsei
[[근데리스 아이지([네스 토토리) (100] [[네티스 [[네]]]]]]]]]]]]]]]]]]]]]]]]]]]]]]]]]]]	s.	Executive vice resident and C	General Counsel

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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.

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

In the Matter of

ECHOSTAR SATELLITE OPERATING

File No. SAT-STA-20050701-00142

File No. SAT-STA-20050803-00157

File No. SAT-STA-20050826-00167

File No. SAT-STA-20051018-00202

File No. SAT-STA-20051018-00202

Application for Extension of Special Temporary Authority to Operate the EchoStar 4 Satellite at the 77° W.L. Orbital Location Pursuant to U.S. Authority.

Call Sign: S2621

APPLICATION FOR EXTENSION OF SPECIAL TEMPORARY AUTHORITY

Pursuant to Section 309 of the Communications Act of 1934, as amended, 47 U.S.C. § 309, and Part 25 of the Commission's Rules, 47 C.F.R. Part 25, EchoStar Satellite Operating Corporation ("EchoStar") hereby requests an extension of the term of the above-captioned Special Temporary Authorization ("STA") for another 30 days to December 4, 2005. In support of this Application, EchoStar submits the following:

I. GRANT OF THE REQUESTED EXTENSION IS IN THE PUBLIC INTEREST

On July 6, 2005, the International Bureau ("Bureau") granted EchoStar an STA to move the EchoStar 4 satellite to the 77° W.L. orbital location and to operate at that location, subject to a number of conditions, for a thirty day period.² On August 5, 2005 and September 10, 2005, the

¹ EchoStar's latest extension request of this STA is still pending. See SAT-STA-20051018-00202.

² See Stamp Grant, SAT-STA-20050701-00142 (granted July 6, 2005). The EchoStar 4 satellite reached the 77° W.L. orbital location and commenced operations on July 9, 2005. See (Continued ...)

Bureau granted extensions of this STA for additional thirty day periods.³ In addition, on October 18, 2005, EchoStar filed for a *nunc pro tunc* extension of its STA to operate EchoStar 4 at 77° W.L. beginning on October 5, 2005 when its previous STA extension expired.⁴ EchoStar hereby requests a further extension of this STA for another 30 days up to and including December 4, 2005, pending the Bureau's consideration of EchoStar's recently reinstated request to transfer licensing responsibility for the EchoStar 4 satellite at 77° W.L. from the United States to Mexico.⁵

The Bureau has already found that it would serve the public interest to authorize EchoStar to move the EchoStar 4 satellite to the 77° W.L. orbital location and to operate temporarily from that location at its own risk, pending action on EchoStar's reconsideration petition. An extension of this STA for another 30 days will allow the Bureau to complete its review and analysis of EchoStar's recently reinstated application and would similarly serve the public interest.

Letter from Pantelis Michalopoulos, Counsel for EchoStar to Marlene H. Dortch, Secretary, FCC (July 11, 2005).

³ See Stamp Grant, SAT-STA-20050803-00157 (granted August 5, 2005) and Stamp Grant, SAT-STA-20050826-00167 (granted September 10, 2005).

⁴ See SAT-STA-20051018-00202.

⁵ See In the Matter of 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; Application for Modification of Direct Broadcast Satellite Authorization to Permit Long-Term Cessation of Operations on Three DBS Channels at the 157° W.L. Orbital Location; Application for Modification of Earth Station Authorization to add the EchoStar 4 Satellite at 77° W.L. as a Point of Communication, DA 05-1581 (rel. Jun. 3, 2005) ("June 3 Order"), pet. for recon. granted in part, DA 05-2067 (rel. Jul. 25, 2005) (reinstating the applications denied and dismissed under the June 3 Order). See also Public Notice, Report No. SAT-00311 (rel. Jul. 27, 2005) (placing reinstated satellite applications on public notice); Public Notice, Report No. SES-00734 (rel. Jul. 27, 2005) (placing reinstated earth station application on public notice).

II. WAIVER PURSUANT TO SECTION 304 OF THE ACT

In accordance with Section 304 of the Communications Act of 1934, as amended, 47

U.S.C. § 304, EchoStar hereby 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.

III. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests the expeditious grant of the requested extension of the above-captioned STA to operate EchoStar 4 at 77° W.L. pursuant to U.S. authority.

Respectfully submitted,

Pantelis Michalopoulos Philip L. Malet Brendan Kasper STEPTOE & JOHNSON LLP 1330 Connecticut Avenue, N.W. Washington, D.C. 20036 (202) 429-3000 David K. Moskowitz
Executive Vice President & General Counsel
EchoStar Satellite Operating Corporation
9601 South Meridian Boulevard
Englewood, CO 80112
(303) 723-1000

Counsel for EchoStar Satellite Operating Corporation

October 27, 2005