

Date & Time Filed: Mar 29 2007 6:49:44:520PM
File Number: SAT-STA-20070329-00058
Callsign:

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

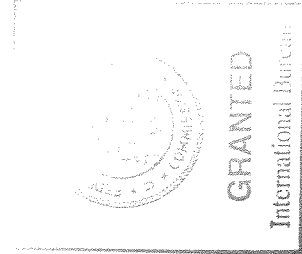
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Application for Renewal of STA to Operate on Channels 23 and 24 at 61.5W

I. Applicant

Name:	EchoStar Satellite Operating Corporation	Phone Number:	303-723-1000
DBA Name:		Fax Number:	303-723-1699
Street:	9601 South Meridian Boulevard	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112
Attention:	David K Moskowitz		



SAT-STA-20070329-00058

April 20, 2007

4/4/07 10/1/07

Polity Branch Chief

w/candrews

Attachment
File No. SAT-STA-20070329-00058
April 20, 2007

EchoStar Satellite Operating Corporation's requests, File Nos. SAT-STA-20060324-00029, SAT-STA-20070105-00008, and SAT-STA-20070329-00058, ARE GRANTED,¹ and EchoStar Satellite Operating Corporation (EchoStar) IS AUTHORIZED to operate Direct Broadcast Satellite service from its EchoStar 12 satellite over Channels 23 and 24 at the 61.5° W.L. orbital location for a period of 180 days, from April 4, 2007 to October 1, 2007, subject to the following conditions:

1. EchoStar's use of channels 23 and 24 at the 61.5° W.L. orbital location shall cause no harmful interference to any other lawfully operating radio station and EchoStar shall cease operation on those channels immediately upon notification of such interference.
2. EchoStar shall not claim protection from interference from any other lawfully operated radio station with respect to its operations on channels 23 and 24 and EchoStar's operation on channels 23 and 24 is at its own risk.
3. Upon launch and operation of a replacement satellite for EchoStar 3 at the 61.5° W.L. orbital location, the following conditions will apply:

a) EchoStar:

i) must inform its customers, in writing, that services using the two unassigned channels at the 61.5° W.L. orbit location will be discontinued upon the termination of EchoStar's temporary authority to operate on these channels;

ii) must provide the following language to its customers in its monthly billing statements:

"The [name of module(s)] is only temporarily available. Dish Network will discontinue these services upon the termination of Dish Network's temporary authority to operate on these channels. Therefore, [name of module] will cease to be available to you upon the termination of Dish Network's temporary authority to operate on these channels without prior notice. If you have any questions, please call us toll-free at [insert telephone number]."

iii) must include in all marketing notification that service is being provided on a temporary basis and may be diminished or discontinued at

¹ IBFS File Nos. SAT-STA-20060324-00029 and SAT-STA-20070105-00008 were previously granted in part. See EchoStar Satellite Operating Corporation Application for Extension and Modification of Special Temporary Authority to Operate Direct Broadcast Satellite Service over Channels 23 and 24 at the 61.5° W.L. Orbital Location, *Order and Authorization*, DA 07-518, 22 FCC Rcd 2223 (Int'l Bur. 2007).

any time. Any failure to comply with customer notification procedures will be subject to enforcement action.

b) Use of channels 23 and 24 at the 61.5° W.L. orbit location is for free-standing separate programming packages that are not required as a condition of purchasing any other programming packages and that are readily capable of being withdrawn on short notice. Consumers should not have any expectation that the packages that they are purchasing include additional programming provided over channels 23 and 24. Any failure to comply with this programming requirement will be subject to enforcement action.

4. EchoStar must file a report on July 3, 2007 describing the status of the replacement satellite for the EchoStar 3 satellite. In its report, EchoStar should indicate the status of the construction of the replacement satellite, as well as the status of the associated launch vehicle.

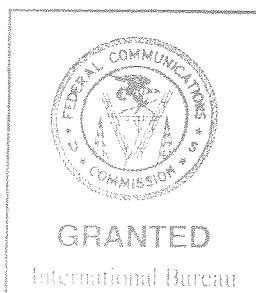
5. EchoStar must file a report on July 3, 2007 describing the operating status of the EchoStar 3 satellite. In its report, EchoStar should describe any change to the operating status of the satellite since EchoStar filed its Spacecraft Health Report for the EchoStar 3 satellite on March 5, 2007.

6. EchoStar shall cease operations on channels 23 and 24 at the 61.5° W.L. orbit location upon the launch and operation of a satellite regularly licensed to operate on these channels at this location.

7. This Special Temporary Authority is conditioned on the outcome of any rules adopted in the Notice of Proposed Rulemaking Proceeding in IB Docket 06-160 (DBS License Processing Procedures Rulemaking).

8. This Special Temporary Authority is conditioned on the outcome of the Commission decision on the petition for reconsideration of eligibility restrictions for DBS Channels 23 and 24 at the 61.5° W.L. orbital location.

9. This action is used pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.



W/canditrus

File # SAT-STA-20070329-00058

Call Sign _____ Grant Date Apr. 20, 2007
(or other identifier)

Term Dates
From 4/4/07 To: 10/1/07

Approved: *[Signature]*
Policy Branch Chief

2. Contact

Name: Pantelis Michalopoulos **Phone Number:** 202-429-6494
Company: Steptoe & Johnson LLP **Fax Number:** 202-429-3902
Street: 1330 Connecticut Ave., NW **E-Mail:** pmichalo@steptoe.com
City: Washington **State:** DC
Country: USA **Zipcode:** 20036 -1795
Attention: **Relationship:** Legal Counsel

(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)

3. Reference File Number SATSTA2007010500008 or Submission ID

4a. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
- Governmental Entity Noncommercial educational licensee
- Other (please explain):

4b. Fee Classification CRY - Space Station (Geostationary)

5. Type Request

- Change Station Location Extend Expiration Date Other

6. Temporary Orbit Location

7. Requested Extended Expiration Date
2007-06-02 00:00:00.0

<p>8. Description (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)</p> <div style="border: 1px solid black; padding: 5px;"> <p>This application requests renewal of EchoStar Satellite Operating Corporation's special temporary authority to operate a DBS satellite using channels 23 and 24 at the 61.5W orbital location for an additional 60 days. Please see the attached narrative for additional detail.</p> </div>			
<p>9. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.</p>	<p>Yes <input checked="" type="radio"/> No <input type="radio"/></p>		
<p>10. Name of Person Signing David K. Moskowitz</p>	<p>11. Title of Person Signing Executive Vice President and General Counsel</p>		
<p>12. Please supply any need attachments.</p>	<p>Attachment 1: Narrative App.</p>	<p>Attachment 2:</p>	<p>Attachment 3:</p>
<p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).</p>			

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