

S2746 SAT-STA-20080219-00048 IB2008000364
EchoStar Corporation
AMC-14

Approved by OMB
3060-0678

Date & Time Filed: Feb 19 2008 4:40:35:110PM
File Number: SAT-STA-20080219-00048
Callsign: S2796

10T@ 56.5° W.L.

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY
FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Launch and Test Authority STA for EchoStar AMC-14 satellite

1. Applicant			
Name:	EchoStar Corporation	Phone Number:	303-723-1000
DBA Name:		Fax Number:	
Street:	90 Inverness Circle E.	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:	Linda Kinney - (202)293-0981		

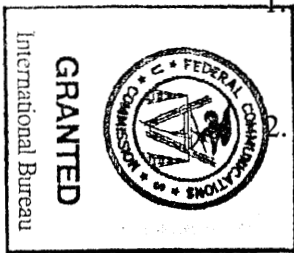
1



File # SAT-STA-20080219-00048
Callsign S2796 Grant Date March 13, 2008
(if other identifier)
Term Dates
From March 14, 2008 To + 60 days
Approved: [Signature] Policy Branch Chief

Attachment
Conditions of Authorization
IBFS File Nos. SAT-LOA-20071221-00183, SAT-STA-20080219-00048,
SAT-STA-20080229-00054
Call Sign: S2746
March 12, 2008


EchoStar Corporation's (EchoStar's) application for authority to launch and operate a Direct Broadcast Service (DBS) satellite, AMC-14, IBFS File No. SAT-LOA-20071221-00183 (Call Sign: S2746), IS GRANTED. Accordingly, EchoStar is authorized to launch and operate the AMC-14 space station at the 61.5° W.L orbital location using the 17.3-17.8 (Earth-to-space) and 12.2-12.7 GHz (space-to-Earth) frequency bands on channels 1-22 and 25-32,¹ in accordance with the technical specifications set forth in its application, this Attachment, and the Commission's Rules and subject to the following conditions:



1 EchoStar shall operate the AMC-14 space station at the 61.5° W.L orbital location in compliance with all existing or future coordination agreements for that location.

2 EchoStar shall provide the Commission with all information it requires in order to modify the Appendix 30 Broadcasting-Satellite Service Plans and associated Appendix 30A feeder-link Plans to incorporate the characteristics of USABSS-28, in accordance with the International Telecommunication Union (ITU) radio regulations. EchoStar shall be held responsible for all cost recovery fees associated with these ITU filings. We also note that no protection from interference caused by radio stations authorized by other Administrations is guaranteed unless coordination and other procedures are timely completed or, with respect to individual Administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed and/or for which the necessary agreements under Appendices 30 and 30A have not been obtained may be subject to additional terms and conditions as required to effect coordination or obtain the agreement of other Administrations. See 47 C.F.R. § 25.111(c)

EchoStar's request for waiver of Section 25.210(i), of the Commission's rules, 47 C.F.R. § 25.210(i), IS GRANTED as conditioned. Section 25.210(i) states that "[S]pace station antennas in the Fixed-Satellite Service must be designed to

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SAT-STA-20080229-00054

¹ Application of Direct Broadcasting Satellite Corporation For Assignment of Direct Broadcast Satellite Orbital Positions and Channels, *Memorandum Opinion And Order*, 8 FCC Rcd. 7959,7961 (para. 12) (1993) (even numbered channels 2-22); Application of Direct Broadcasting Satellite Corporation For Assignment of Direct Broadcast Satellite Orbital Positions and Channels, *Order*, 11 FCC Rcd 10494 (Int'l Bur. 1996); Rainbow DBS Company LLC, Assignor and EchoStar Satellite L.L.C., Assignee, Consolidated Application for Consent to Assignment of Space Station and Earth Station Licenses, and Related Special Temporary Authorization, IB Docket No. 05-72, *Memorandum Opinion and Order*, 20 FCC Rcd 16868 (2005) (assigning 11 odd numbered channels from 1-21); Application for consent to assign Dominion's 8 DBS channels at 61.5 W.L. to EchoStar, IBFS File No. SAT-ASG-2007060840081, Grant (September 27, 2007) (assigning channels 25-32 from Dominion Video Satellite, Inc. to EchoStar).

provide a cross-polarization isolation such that the ratio of the on axis co-polar gain to the cross-polar gain of the antenna in the assigned frequency band shall be at least 30 dB within its primary coverage area.” EchoStar indicates that, over its primary service area, the minimum cross-polarization isolation ratio for AMC-14’s fixed-satellite service (FSS) feeder-link receive antennas is at least 27 dB within their primary coverage area.² EchoStar indicates that the lower cross-polarization isolation ratio for these FSS feeder-link antennas will not affect any other satellite and that the small additional uplink interference into the AMC-14 satellite has already been taken into account in the satellite’s link design.³ We find that this shortfall will not produce a significant increase in interference, except to the applicant itself, and will not adversely affect any other operator. As a condition of the waiver, EchoStar shall claim no more protection from interference from other licensed radiocommunication systems operating in accordance with the Commission’s rules than if its FSS feeder-link receiving antennas had met Section 25.210(i) of the rules. Grant of this waiver request is consistent with our precedent.⁴

4. EchoStar’s request for a partial waiver of Section 25.283(c) of the Commission’s rules, 47 C.F.R. 25.283(c), IS GRANTED. Section 25.283(c) specifies that space stations must discharge all stored energy sources at end-of-life of the space station. EchoStar indicates that due to its design, AMC-14’s oxidizer tanks cannot be completely depleted but will retain approximately 3% of the tank volume at the end of life of the satellite. EchoStar states that the oxidizer tanks are designed to leak rather than burst to in the case of a flaw in the materials. This waiver is granted because modification of the spacecraft would present an undue hardship, given the late stage of satellite construction. In making this determination, we note that the information submitted in the application is not sufficient to support a finding: a) that oxidizer is the equivalent of an inert gas such as xenon for purposes of assessing whether the intent of the rule would be satisfied; or b) that the intent of the rule would be satisfied by sealing the oxidizer tank or by the design of the oxidizer tanks themselves.
5. The license term for the space station is 10 years and will begin on the date EchoStar certifies to the Commission that the satellite has been successfully placed into orbit and its operation fully conforms to the terms and conditions of this authorization. 47 C.F.R. § 25.121(d)(1). EchoStar shall file its certification

² See EchoStar Satellite Operating Corporation Application for Modification of Authority to Launch and Operate the new AMC-14 DBS Satellite at 61.5° W.L., SAT-LOA-20071221-00183 (Call Sign: S2746), Narrative at 9 (AMC-14 Application). We note that EchoStar requested waivers of both Sections 25.210(i) and 25.215 of the Commission’s rules, 47 CFR §§ 25.210(i), 25.215. In its application, however, EchoStar indicates that only the feeder-link receive antennas do not meet 30 dB requirement. Accordingly, we dismiss the request for waiver of section 25.215 of our rules as moot.

³ AMC-14 Application Narrative at 9-10.

⁴ Star One S.A.; Petition for Declaratory Ruling to Add The Star One C1 Satellite at 65° W.L. to the Permitted Space Station List, *Order*, 19 FCC Rcd 16334 (Int’l Bur., Sat. Div. 2004) (finding that the impact on neighboring satellite systems of a 3-5dB difference from the required cross polarization isolation ratio would be negligible).

with the Chief, Satellite Division, International Bureau within 5 business days of the satellite being placed into operation at the 61.5° W.L. orbital location.

6. EchoStar is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
7. EchoStar's request for special temporary authority to conduct in-orbit testing of the AMC-14 satellite at the 56.5° W.L. orbital location for a period of 60 days prior to AMC-14's installation at the 61.5° W.L. orbital location, File No. SAT-STA-20080219-00048, as amended by SAT-STA-20080229-00054, IS GRANTED. Accordingly, EchoStar is authorized to conduct space station Telemetry, Tracking, and Control operations on AMC-14 necessary to effect operation at the 56.5° W.L. orbital location and testing of the 17.3-17.8 (Earth-to-space) and the 12.2-12.7 GHz (Earth-to-space) frequency bands using channels 1-32 for a period of 60 days commencing March 14, 2008, subject to the following conditions:
 - a. All operations shall be on an unprotected and non-harmful interference basis, *i.e.*, EchoStar shall not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating radiocommunication system.
 - b. In the event of any harmful interference as a result of EchoStar's operations at the 56.5° 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.
 - c. While at the 56.5° W.L. orbital location, EchoStar shall maintain the AMC-14 spacecraft with an east/west longitudinal station-keeping tolerance of 0.05 degrees.
 - d. Any actions taken as a result of operation of AMC-14 at 56.5° W.L. orbital location are solely at EchoStar's own risk.
8. EchoStar does not seek and this action does not provide EchoStar with authority to operate AMC-14 on channels 23 and 24 at the 61.5° W.L orbital location.⁵
9. These actions are issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and are 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 these actions were taken.

⁵ EchoStar indicated that at some time in the future it may file a request for special temporary authority to operate AMC-14 using channels 23 and 24 at the 61.5° W.L orbital location

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I. Applicant

Name:	EchoStar Corporation	Phone Number:	303-723-1000
DBA Name:		Fax Number:	
Street:	90 Inverness Circle E.	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:	Linda Kinney - (202)293-0981		

1



w/conditions

File # **SAT-STA-20080219-00048**

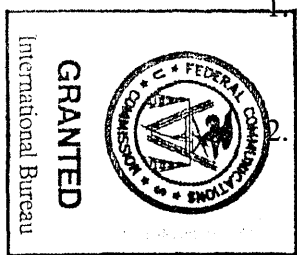
Callsign **S2796** Cont'd Date **March 13, 2008**
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Term Dates
From **March 14, 2008** To **+ 60 days**

Approved: **[Signature]**
Policy Branch Chief

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International Bureau
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 From: *[Signature]*
 To: *[Signature]*
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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: pmichalopoulos@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 SATLOA2007122100183 or Submission ID	
4a. Is a fee submitted with this application?	
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).	
<input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee	
<input type="radio"/> Other (please explain):	
4b. Fee Classification	
5. Type Request	
<input type="radio"/> Change Station Location <input type="radio"/> Extend Expiration Date <input checked="" type="radio"/> Other	
6. Temporary Orbit Location 56.0 W	7. Requested Extended Expiration Date

<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; margin: 5px 0;"> <p>EchoStar requests Special Temporary Authority for up to 60 days to launch and test the AMC-14 satellite at the 56.0 W.L. orbital location. See attached narrative for complete description.</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. <input checked="" type="radio"/> Yes <input type="radio"/> No</p>					
<p>10. Name of Person Signing Linda Kinney</p>	<p>11. Title of Person Signing Vice President, Law and Regulation</p>				
<p>12. Please supply any need attachments.</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">Attachment 1: STA Narrative</td> <td style="width: 33%;">Attachment 2:</td> <td style="width: 33%;">Attachment 3:</td> </tr> </table>			Attachment 1: STA Narrative	Attachment 2:	Attachment 3:
Attachment 1: STA Narrative	Attachment 2:	Attachment 3:			
<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>					

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to jboley@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

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 Application of)	
)	
ECHOSTAR CORPORATION)	
)	File No. SAT-STA-2008_____
)	
For Special Temporary Authority to)	
Launch the AMC-14 Satellite and to)	
Test AMC-14 at 56° W.L.)	
)	

EXPEDITED ACTION REQUESTED

APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

By this application, EchoStar Corporation (“EchoStar”) respectfully requests special temporary authority (“STA”) to permit EchoStar to launch its new AMC-14 satellite and test this satellite at the 56° W.L. orbital location for a period of up to 60 days. AMC-14 is a Direct Broadcast Satellite (“DBS”) satellite that EchoStar proposes to operate at the 61.5° W.L. orbital location. EchoStar has filed an application to allow it to launch and operate the AMC-14 satellite on the DBS channels already licensed to EchoStar at the 61.5° W.L. orbital location.¹

As discussed below, launch and temporary operation of AMC-14 at 56° W.L. will permit testing to occur without disruption to existing customers and will not adversely affect the

¹ See SAT-LOA-20071221-00183 (call sign S2746); Public Notice Report No. SAT-00501 (rel. Feb. 8, 2008); *Application of Direct Broadcast Satellite Corporation, for Assignment of Direct Broadcast Satellite Orbital Positions and Channels*, Memorandum Opinion and Order, 8 FCC Rcd 7959 (rel. Nov. 10, 1993) (channels 2-22 even); *Rainbow DBS Company LLC, Assignor and EchoStar Satellite L.L.C., Assignee, Consolidated Application for Consent to Assignment of Space Station and Earth Station Licenses, and related Special Temporary Authority*, Memorandum Opinion and Order, FCC 05-177 (rel. Oct. 11, 2005) (assigning channels 1-21 odd from Rainbow DBS Company, LLC to EchoStar); Grant, File No. SAT-ASG-20070608-0081 (Sept. 27, 2007) (assigning channels 25-32 from Dominion Video Satellite, Inc. to EchoStar).

operation of any other carrier's spacecraft or other authorized spectrum users. AMC-14 is currently scheduled to launch in mid-March 2008, and EchoStar requests expedited action on this STA request for the event that EchoStar's pending application to launch and operate AMC-14 is not acted upon in time to meet that launch date.

Once launch and testing at 56° W.L. is complete, EchoStar will request separate authority to maneuver the spacecraft to its intended orbital location at 61.5° W.L.

I. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

The Commission has a long-standing policy of granting an STA where such authorization will not cause harmful interference and will serve the public interest, convenience and necessity.² The requested operations of this STA meet both of these tests.

First, launching and testing AMC-14 at 56° W.L. will not cause harmful interference to any other spacecraft or authorized user of the spectrum for the following reasons:

- A. The closest spaced operational DBS satellite serving the United States or any territories geographically close to the United States, other than EchoStar's DBS satellites in the vicinity of 61.5° W.L., is DIRECTV's DBS satellite at 72.5° W.L., which is more than 16 degrees away from 56° W.L.
- B. Intelsat has an operational satellite (IS-805) at 55.5° W.L. which has frequency overlap in a portion of the downlink band used by AMC-14. However, the IS-805 satellite at this time downlinks only to portions of Central and South America, and so there is geographic isolation from the AMC-14 downlink beam for the overlapping frequencies. EchoStar (in conjunction with SES Americom) is currently coordinating with Intelsat to establish the AMC-14 test conditions necessary to avoid any harmful interference to IS-805.

There are no known plans to bring into operation any BSS assignment in the ITU Region 2 Plan, or any modification to that Plan, within 10° of 56° W.L. within the timeframe of the AMC-14 in-orbit testing.

² See e.g., *In the Matter of Newcomb Communications, Inc.*, 8 FCC Rcd. 3631, 3633 (1993); *In the Matter of Columbia Communications Corp.*, 11 FCC Rcd. 8639, 8640 (1996); *In the Matter of American Telephone & Telegraph Co.*, Order, 8 FCC Rcd. 8742 (1993).

Second, launch and testing AMC-14 at 56° W.L. serves the public interest. Launch and testing AMC-14 at this location will allow EchoStar to ensure that AMC-14 is fully operational when it arrives at 61.5° W.L., thereby avoiding any interruption in service that otherwise might be associated with spacecraft testing.

EchoStar therefore seeks an STA to launch and test AMC-14 subject to the following conditions:

(a) EchoStar will coordinate its test operations with all potentially affected operating satellite networks, including Intelsat's IS-805 satellite.

(b) The test operations will not cause harmful interference to any lawfully operating satellite network or radio communication system and EchoStar will cease its test operations immediately upon notification of any harmful interference. In addition, EchoStar will inform the Commission in writing that it has received such a notification within 14 days of the receipt.

(c) EchoStar will accept interference from any lawfully operating satellite network or radio communication service.

(d) Testing authority is limited to the frequencies for which the AMC-14 satellite will be authorized.

(e) The authorization is subject to change in any of its terms or cancellation in its entirety at any time upon reasonable notice, but without hearing, if in the opinion of the Commission, circumstances require.

(f) EchoStar shall notify the Commission in writing no later than seven days after it has completed testing of AMC-14 and commenced moving AMC-14 to its authorized orbital location.

(g) The temporary authority is for launch and testing purposes and shall not be used for the provision of commercial service.

II. SECTION 304 WAIVER

In accordance with Section 304 of the Communications Act of 1934, 47 U.S.C. § 304, EchoStar hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum because of the previous use of the same, whether by license or otherwise.

III. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests special temporary authority to launch and test AMC-14 at 56° W.L. for a period of up to 60 days.

Respectfully submitted,

EchoStar Corporation

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February 19, 2008

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