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File Number: SAT-STA-20080516-00104
Call sign:

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:
Special Temporary Authority to Test EchoStar 11 at 138.5 W.L. and to Relocate the Satellite to 110.0W Thereafter

I. Applicant

Name:	EchoStar Satellite Operating L.L.C.	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:	Linda Kinney - (202)293-0981		

File # SAT-STA-20080516-00104
 Call Sign S2738 Grant Date 07/15/2008
 (or other Identifier)
 Term Dates
 From: 07/20/2008 To: +30 days Approved by OMB 3060-0678
 Approved: Caroline Thomas - Subject to the conditions decided in EchoStar's application.

2. Contact

Name:	Pantelis Michalopolous	Phone Number:	202-429-3000
Company:	Steptoe & Jonhson LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Ave., NW	E-Mail:	pmichalo@steptoe.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -
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 SATLOA2007062200085 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

5. Type Request

- Change Station Location Extend Expiration Date Other

6. Temporary Orbit Location
138.5 W.L.

7. Requested Extended Expiration Date

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.)

See attached narrative.

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. Yes No

10. Name of Person Signing
Linda Kinney

11. Title of Person Signing
Vice President, Law and Regulation

12. Please supply any need attachments.

Attachment 1: Narrative

Attachment 2:

Attachment 3:

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).

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

_____)	
In the Matter of)	File No. SAT-STA-2008_____
)	Call Sign S2738
ECHOSTAR SATELLITE OPERATING L.L.C.)	
)	File No. SES-STA-2008_____
For Special Temporary Authority to)	Call Sign E070014
Test the EchoStar 11 Satellite at 138.5° W.L.)	
And to Move the Satellite to 110° W.L. Once)	File No. SES-STA-2008_____
Testing is Complete)	Call Sign E980005
_____)	

APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

EchoStar Satellite Operating L.L.C.¹ (“DISH Network”) respectfully requests 30-day Special Temporary Authority (“STA”), commencing on or about July 20, 2008, to permit DISH Network to (1) test its new EchoStar 11 satellite at the 138.5° W.L. orbital location in the 12.2-12.7 and 17.3-17.8 GHz bands; (2) move the satellite from 138.5° W.L. to its assigned location at 110.0° W.L. once testing is complete; and (3) operate two earth stations (Call Signs E980005 and E070014) in conjunction with EchoStar 11 to perform these satellite operations. EchoStar 11 is a satellite in the Direct Broadcast Satellite (“DBS”) service that DISH Network has been licensed by the Commission to launch and operate at the 110.0° W.L. orbital location.² As discussed below, testing EchoStar 11 at 138.5° W.L. will avoid disruption to existing customers

¹ Effective December 31, 2007, EchoStar Satellite Operating Corporation, the applicant and now licensee of the EchoStar 11 satellite, was converted into a Colorado limited liability and renamed EchoStar Satellite Operating L.L.C. Under Colorado law, “[t]he resulting entity is the same entity as the converting entity.” See Colo. Rev. Stat. 7-90-202(4).

² See Stamp Grant, File No. SAT-LOA-20070622-00085, Call Sign S2738 (granted Jan. 11, 2008) (“*EchoStar 11 Grant*”).

at 110° W.L. and will not adversely affect the operations of any other spacecraft or of other authorized spectrum users.

I. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

The Commission has a long-standing policy of granting Special Temporary Authority where such authorization will not cause harmful interference and will serve the public interest, convenience and necessity.³ The proposed testing meets both of these tests.

First, testing EchoStar 11 at 138.5° W.L. will not cause harmful interference to any other spacecraft or authorized user of the spectrum. Although Canada has BSS assignments in the ITU Region 2 Appendix 30/30A Plan at 137.8° W.L. and 138.2° W.L., there are no operational Canadian satellites at these orbital locations, nor are any satellites planned to be launched there during the time frame of EchoStar 11's in-orbit testing at 138.5° W.L. Further, there are no currently operational DBS satellites serving the United States or any other country within nine degrees on either side of the 138.5° W.L. orbital location, nor are there any such satellites planned to be brought into operation during the time frame of EchoStar 11's in-orbit testing at 138.5°W.

Second, testing EchoStar 11 at 138.5° W.L. serves the public interest, as it will allow DISH Network to ensure that the satellite is fully operational when it arrives at 110.0° W.L., thereby avoiding any interruption in service that otherwise might be associated with spacecraft

³ See, e.g., *In the Matter of Newcomb Communications, Inc.*, Order and Authorization, 8 FCC Rcd 3631, 3633 (1993); *In the Matter of Columbia Communications Corp.*, Order, 11 FCC Rcd 8639, 8640 (1996); *In the Matter of American Telephone & Telegraph Co.*, Order, 8 FCC Rcd 8742 (1993).

testing. In similar circumstances, the Commission has previously allowed testing of new DBS satellites at the same orbital location.⁴

Once testing is complete, all transponders (other than the TT&C transponders) on the satellite will be turned off and the satellite will be moved to 110.0° W.L. where it will begin DBS operation pursuant to regular authority.⁵ Just as it is in the public interest to operate EchoStar 11 at 110.0° W.L.,⁶ it is also in the public interest for the satellite to be moved to that location from its in-orbit testing location. DISH Network will coordinate the move so that its TT&C communications (on 17.794 and 17.797 GHz for command, and 12.208 GHz, 12.692 GHz and 12.693 GHz for telemetry) do not cause harmful interference into any authorized user of the spectrum (including DISH Network and DIRECTV's satellites at 129° W.L. and 119° W.L.) while en route. DISH Network will also ensure the safety of all spacecraft using that portion of the geostationary arc during the relocation.

II. SECTION 304 WAIVER

In accordance with Section 304 of the Communications Act of 1934, 47 U.S.C. § 304, DISH Network 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.

⁴ See, e.g., Stamp Grant, EchoStar STA Request, File No. (granted Feb. 3, 2006); Stamp Grant, DIRECTV STA Request, File No. SAT-STA-20050624-00136 (granted Aug. 19, 2005).

⁵ DISH Network is separately requesting authority to move EchoStar 8 from 110.0° W.L. to 109.8° W.L. and to transfer traffic from that satellite to EchoStar 11. See SAT-STA-20080516-_____.

⁶ See *EchoStar 11 Grant, supra*.



File # SAT-STA-20080516-00104

Call Sign S2738 Grant Date 07/15/2008
(or other identifier)

Term Dates

From: 07/20/2008 To: +30 days

Cassandra C. Thomas,
Approved: expeditious grant of a subject to
the conditions described in
EchoStar's
Application.

III. CONCLUSION

For the foregoing reasons, DISH Network respectfully requests the

30-day STA, commencing on or about July 20, 2008, to test EchoStar 11 at 138.5° W.L. and to
move the satellite to 110.0° W.L. once testing is complete. During in-orbit testing, DISH

Network will operate the EchoStar 11 satellite subject to the following conditions:

- (a) DISH Network will coordinate its test operations with all potentially affected operating satellite networks.
- (b) During the test operations DISH Network will not cause harmful interference to, and will not claim protection from interference caused by, any other lawfully operating satellites or radiocommunications systems.
- (c) Upon notification of any harmful interference, DISH Network will cease its test operations immediately. In addition, DISH Network will inform the Commission in writing that it has received such a notification.
- (d) Testing authority is limited to the frequencies for which the EchoStar 11 satellite is 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) The temporary authority is for testing purposes and shall not be used for the provision of commercial service.
- (g) DISH Network shall notify the Commission not later than 7 days after the completion of in-orbit testing of EchoStar 11 and the commencement of relocation to 110.0° W.L.

In addition, during the relocation of EchoStar 11 from 138.5° W.L. to 110.0° W.L., all transponders other than the TT&C transponders will be switched off, and DISH Network will operate the satellite subject to the following conditions:

- (a) DISH Network shall coordinate all drift orbit operations with other potentially affected in-orbit operators.
- (b) No harmful interference will be caused to any lawfully operating satellite network or radio communication system, and DISH Network operations will cease immediately upon notification of harmful interference. Further, DISH Network shall notify the Commission immediately, in writing, of such an event.

(c) DISH Network will accept interference from any lawfully operating satellite network or radio communication system.

Respectfully submitted,

EchoStar Satellite Operating L.L.C.

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

May 16, 2008

_____/s/_____
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