

S2439 SAT-STA-2008-1008-00202 IB2008002429
EchoStar Corporation

Approved by OMB
3060-0678

Date & Time Filed: Oct 8 2008 1:48:35:323PM
File Number: SAT-STA-20081008-00202
Callsign:

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:
Special Temporary Authority to Continue to Move EchoStar 8 to 77 W.L.

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		

*pursuant to the
conditions of the
application.*



File # SAT-STA-20081008-00202
Call Sign Grant Date 10/16/08
(or other identifier) Term Dates
From To:
Approved: *[Signature]*

2. Contact	
Name:	Pantelis Michalopoulos
Company:	Step toe & Johnson LLP
Street:	1330 Connecticut Ave. NW
Phone Number:	202-429-6494
Fax Number:	
E-Mail:	pmichalopoulos@step toe.com
City:	Washington
Country:	USA
Attention:	
State:	DC
Zipcode:	20036
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 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 checked="" type="radio"/> Extend Expiration Date
	<input type="radio"/> Other
6. Temporary Orbit Location	
7. Requested Extended Expiration Date	
	2008-11-11 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>EchoStar Corporation seeks to renew its special temporary authority to move the EchoStar 8 satellite from 109.8 W.L. to 77 W.L. Please see attached narrative.</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"; party to the application; for these purposes.</p> <p style="text-align: right;"> <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>	
<p>Attachment 1: STA Narrative</p>	<p>Attachment 2:</p>
<p>Attachment 3:</p>	<p>Attachment 3:</p>
<p style="text-align: center;">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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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)

ECHOSTAR CORPORATION)

For Special Temporary Authority to Move)
the EchoStar 8 Satellite from 109.8° W.L.)
to 77° W.L.)

File No. SAT-STA-20080616-00122
File No. SAT-STA-2008 1008-00202
Call Sign S2439

APPLICATION TO RENEW SPECIAL TEMPORARY AUTHORITY

EchoStar Corporation (“EchoStar”) respectfully requests renewal of its Special Temporary Authority (“STA”) for an additional 30 days to permit it to complete the move of the EchoStar 8 satellite from the 109.8° W.L. orbital location, where it has been operating as an in-orbit spare, to 77° W.L. This authority is set to expire on October 12, 2008.¹

The extension of the above referenced STA is necessary to allow EchoStar to complete the relocation of the EchoStar 8 satellite to 77° W.L. As explained in the narrative submitted with the original STA request, the move of EchoStar 8 to 77° W.L., where it will augment the services provided by the EchoStar 4 satellite, serves the public interest and does not adversely affect the operations of any other spacecraft or of other authorized spectrum users.

¹ See File No. SAT-STA-20080616-00122 (granted August 12, 2008).

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.² The proposed operations meet both of these tests.

The EchoStar 11 satellite arrived at the nominal 110° W.L. and completed transferring traffic from EchoStar 8 on August 27, 2008. On September 15, 2008, EchoStar began to move the EchoStar 8 satellite to 77° W.L. pursuant to the Commission's 30-day temporary authority.³ The satellite has since been moving at a pace of about 0.7 degrees a day. All transponders (other than the TT&C transponders) on the satellite have been turned off during the relocation maneuvers. Once the satellite reaches 77° W.L., which is expected to occur by the first week of November, it will be available to begin DBS operations as soon as EchoStar receives Commission authority to operate.⁴ Just as it was in the public interest to initially authorize EchoStar to move the satellite to 77° W.L.,⁵ it is also in the public interest for the satellite to be authorized to complete its relocation maneuver. EchoStar will continue to coordinate the move so that its TT&C communications do not cause harmful interference into any authorized user of

² 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).

³ See File No. SAT-STA-20080616-00122 (granted Sep. 12, 2008).

⁴ EchoStar has filed a separate application for temporary authority to provide DBS service into the U.S. from the 77° W.L. orbital location, which remains pending. See File No. SAT-STA-20080616-00121 (filed June 16, 2008). EchoStar subsequently filed a modification to its blanket earth station license to provide service from EchoStar 8 operating as a Mexican-licensed satellite once the Administrations have completed the necessary exchange of letters. See File No. SES-MFS-20080724-00977 (filed July 24, 2008).

⁵ See Stamp Grant, File No. SAT-STA-20080616-00122, Call Sign S2439 (granted Sep. 11, 2008).

the spectrum while en route. EchoStar 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, 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 renewal of its STA for an additional 30 days to move the EchoStar 8 satellite from 109.8° W.L., where it has been operating as an in-orbit spare, to 77° W.L. During the relocation, all transponders other than the TT&C transponders will be switched off, and EchoStar will operate the satellite subject to the following conditions:

- (a) EchoStar 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 EchoStar operations will cease immediately upon notification of harmful interference. Further, EchoStar shall notify the Commission immediately, in writing, of such an event.
- (c) EchoStar will accept interference from any lawfully operating satellite network or radio communication system.



File # SAT-STA-20081008-00202

Call Sign _____ Grant Date 10/16/08
(or other identifier)

Term Dates

From _____ To: _____

Approved: [Signature]

Respectfully submitted,

EchoStar Corporation

/s/

Linda Kinney
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Counsel for EchoStar Corporation

October 8, 2008