

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

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In the Matter of)	
)	
DISH OPERATING L.L.C.)	File No. SAT-STA-20100219-_____
)	
For Special Temporary Authority to Move)	
EchoStar 7 to 118.8° W.L.)	
)	

APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

By this application, DISH Network L.L.C. (“DISH”)¹ respectfully requests 180-day Special Temporary Authority (“STA”) to move EchoStar 7 from 118.9° W.L. to 118.8° W.L. within the 119° W.L. Direct Broadcast Satellite (“DBS”) orbital cluster.² Today, DISH has also applied to launch and test EchoStar 14 at 138.5° W.L. and, upon completion of testing, to relocate EchoStar 14 to the 118.9° W.L. slot.³ The move is intended simply to better accommodate EchoStar 14. DISH will coordinate all drift orbit operations with other potentially affected in-orbit operators. Furthermore, the proposed move will take EchoStar 7 farther away from the satellite of the only other DBS operator at 119° W.L., DIRECTV.⁴

¹ On August 11, 2009, EchoStar Satellite Operating L.L.C. changed its name to DISH Operating L.L.C. See Letter from Pantelis Michalopoulos, Counsel for DISH Operating L.L.C., to Marlene H. Dortch, Secretary, FCC (Sept. 9, 2009).

² Specifically, EchoStar 7 will be handled in a station keeping box of $\pm 0.050^\circ$ center on 118.8° W.L. The 118.8° W.L. spot is allotted to the United States under the International Radio Regulations.

³ See SAT-STA-20100219-_____ (filed Feb. 19, 2010).

⁴ At 118.8° W.L., EchoStar 7 will continue to support DISH Network’s DBS services from 119° W.L. under its license for the nominal 119° W.L. orbital location. See *In re EchoStar*

For the reasons set forth below, the move of EchoStar 7 at 118.8° W.L. will not cause harmful interference to any authorized user of the spectrum, and would be in the public interest. Accordingly, the Commission should grant the requested special temporary authority.

I. DISCUSSION

EchoStar 7 is currently operating at the 118.9° W.L. orbital location. DISH has requested launch and operating authority to launch EchoStar 14 to that orbital location;⁵ the launch is currently scheduled for March 18, 2010. DISH has also requested special temporary authority to test EchoStar 14 at the 138.5° W.L. orbital location before relocating the satellite to 118.9° W.L. Testing is expected to take approximately 30 days, after which DISH will move EchoStar 14 to 118.9° W.L. To make “room” for EchoStar 14, DISH plans to move the EchoStar 7 satellite to 118.8° W.L.

II. 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.⁶ The slight move of EchoStar 7 to 118.8° W.L. will not cause harmful interference to any other U.S.-licensed satellite operator. DISH has a long history of coordinating with DIRECTV at the nominal 119° W.L. orbital slot, and believes that, to the extent coordination is required, it will be achieved. DISH notes that the destination slot for this

Satellite Corp. Application for Minor Modification of Direct Broadcast Satellite Authorization, Launch and Operating Authority for EchoStar 7, 17 FCC Rcd. 894, ¶1 (rel. Jan. 16, 2002)

⁵ See File No. SAT-LOA-20090518-00053, Call Sign S2790 (filed May 18, 2009); amended by File No. SAT-AMD-20090604-00064 (filed June 4, 2009); SAT-AMD-20100212-00027 (filed Feb. 12, 2010) (“*EchoStar 14 Application*”).

⁶ See e.g., *Newcomb Communs., Inc.*, 8 FCC Rcd. 3631, 3633 (1993); *Columbia Comms. Corp.*, 11 FCC Rcd. 8639, 8640 (1996); *Am. Tel. & Tel. Co.*, 8 FCC Rcd. 8742 (1993).

minor move is allotted to the United States under the International Radio Regulations; it is the eastern boundary of the 119° W.L. cluster. Moreover, the closest operational BSS satellite to EchoStar 7's proposed location (except other DISH satellites) is DIRECTV 7S, which is operating at 119.05° W.L. Because EchoStar 7 is moving farther away from this satellite, neither the move of EchoStar 7 to that slot nor the eventual operation there will cause any additional interference to DIRECTV 7S – indeed if anything it will decrease the risk of any interference.

The public interest is served since the move will better accommodate EchoStar 14 at 118.9° W.L. As for the physical proximity of the satellite to any other spacecraft, Anik F3 is located at 118.7° W.L. DISH will coordinate the move and stationkeeping of EchoStar 7 with Anik F3's operator, Telesat Canada. DISH also has engaged in coordination with Telesat in the past, (indeed it uses the Anik F3 Ku-band payload) and anticipates that coordination can easily be achieved in this case.

DISH accordingly seeks authority to move EchoStar 7 to the 118.8° W.L. orbital location subject to the following conditions:

- a) DISH shall coordinate all drift orbit TT&C operations with other potentially affected in-orbit operators.
- b) During relocation of the EchoStar 7 satellite, operations shall be on a non-harmful interference basis, meaning that DISH shall not cause interference to, and shall not claim protection from interference caused to it by any other lawfully operating satellites.
- c) In the event that any harmful interference is caused as a result of operations during the relocation of the EchoStar 7 satellite or while the satellite is at 118.8° W.L., DISH shall cease operations immediately upon notification of such interference and shall inform the Commission immediately, in writing, of such event.

III. SECTION 304 WAIVER

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

IV. CONCLUSION

For the foregoing reasons, DISH respectfully requests special temporary authority to move EchoStar 7 to 118.8° W.L.

Respectfully submitted,

DISH Operating L.L.C.

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