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File Number: SAT-STA-20100414-00076
Callsign:

Approved by OMB
3060-0678

File # SAT-STA-20100414-00076
Call Sign S2653 **Grant Date** 05/12/10
(or other identifier)
Term Dates period of
From 04/21/10 **To:** 60 days
Approved: *Stephen Duall*
Stephen J. Duall
Chief, Satellite Policy Branch



*subject to conditions

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:
Renewal of Special Temporary Authority to Operate EchoStar 12 at 61.35 W.L.

I. Applicant

Name:	EchoStar Corporation	Phone Number:	303-723-1000
DBA Name:		Fax Number:	
Street:	100 Inverness Terrace East	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112
Attention:	Linda Kinney - (202)293-0981		-

Attachment to Grant
EchoStar Corporation
IBFS File No. SAT-STA-20100414-00076, Call Sign S2653
May 12, 2010

EchoStar Corporation is granted special temporary authority to continue operating the EchoStar 12 space station (Call Sign S2653) at the 61.35° W.L. orbital location for a period of 60 days commencing on April 21, 2010. Operations pursuant to this authorization shall be in accordance with conditions imposed as part of EchoStar Corporation's authorization to operate EchoStar 12 at this orbital location, granted on February 19, 2010. IBFS File No. SAT-STA-20100203-00021.

 GRANTED* International Bureau *subject to conditions	File #	<u>SAT-STA-20100414-00076</u>		
	Call Sign	<u>S2653</u>	Grant Date	<u>05/12/10</u>
	(or other identifier)		Term Dates	<u>period of</u>
	From	<u>04/21/10</u>	To:	<u>60 days</u>
	Approved:	<u><i>Stephen J. Duall</i></u> Stephen J. Duall Chief, Satellite Policy Branch		

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@steptoe.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 SATSTA2010020300021 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 checked="" type="radio"/> Change Station Location	<input checked="" type="radio"/> Extend Expiration Date <input type="radio"/> Other
6. Temporary Orbit Location	
61.35 W.L.	7. Requested Extended Expiration Date
	2010-06-19 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 renewal of its special temporary authority to operate its EchoStar 12 satellite at 61.35 W.L. 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"; for these purposes.</p> <p style="text-align: center;"> <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: 50%;">Attachment 1: Narrative</td> <td style="width: 50%;">Attachment 2:</td> </tr> <tr> <td></td> <td>Attachment 3:</td> </tr> </table>		Attachment 1: Narrative	Attachment 2:		Attachment 3:
Attachment 1: 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>					

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

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In the Matter of)

) File No. SAT-STA-20100203-00021

ECHOSTAR CORPORATION) File No. SAT-STA-2010 ____ - ____

)

Application for Renewal of Special)

Temporary Authority to Operate EchoStar 12)

at 61.35° W.L.)

)

APPLICATION FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY

By this Application, EchoStar Corporation (“EchoStar”) requests renewal of its special temporary authority (“STA”) for 60 days to operate the EchoStar 12 satellite (formerly referred to as Rainbow 1) at 61.35° W.L. in order to accommodate EchoStar 6, which is stationed as an in-orbit spare at 61.65° W.L. The EchoStar 12 satellite has already been moved to that location and is operating there under special temporary authority granted by the Commission.¹ On March 3, 2010, EchoStar filed an application to modify the EchoStar 12 license to operate the satellite at 61.35° W.L.² That application remains pending, and the current STA is set to expire on April 20. Therefore, EchoStar is requesting this renewal.

EchoStar is currently operating two Direct Broadcast Satellite (“DBS”) service satellites at the nominal 61.5° W.L. orbital location – EchoStar 3 and EchoStar 12. As the Commission is aware, EchoStar 3 has experienced several transponder failures due to Traveling Wave Tube

¹ See Stamp Grant, File No. SAT-STA-20100203-00021 (granted Feb. 19, 2010) (“EchoStar 12 STA”).

² File No. SAT-MOD-20100310-00042 (filed Mar. 10, 2010).

Amplifier (“TWTA”) anomalies, and has been operating at reduced capacity.³ On January 7, 2010, EchoStar 3 experienced another TWTA anomaly further diminishing its operating capacity. As a result of this failure, EchoStar needed to marshal, at least prophylactically, additional satellite capacity at this orbital location. EchoStar, therefore, applied for and received STA to relocate EchoStar 6 to 61.65° W.L. and station it there as an in-orbit spare.⁴ EchoStar 6 arrived at 61.65° W.L. on February 28, 2010. EchoStar 12, for its part, has been moved to 61.35° W.L. and is operating there pursuant to special temporary authority, for the simple purpose of making more room for EchoStar 6.

The concurrent operation of these satellites will ensure that EchoStar’s customer, DISH Network Corporation, will be able to continue providing DBS service to consumers without any service interruptions until EchoStar’s EchoStar 15 satellite begins operating at 61.5° W.L.⁵ EchoStar 15, a 32-transponder-capable DBS satellite, is expected to effectively replace EchoStar 3 and will be ready for launch by the third quarter of 2010.⁶ In order to continue to accommodate EchoStar 6 at 61.65° W.L. safely, EchoStar 12 must remain at 61.35° W.L.

³ See EchoStar 3 Status Report, File No. SAT-STA-20090821-00092 (filed Dec. 30, 2009) (“EchoStar 3 Status Report”); *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, 22 FCC Rcd. 2223, at ¶¶ 4-6 (2007).

⁴ File No. SAT-STA-20100203-0020 (granted Mar. 3, 2010).

⁵ EchoStar has previously informed the Commission that it has initiated construction of the satellite at EchoStar’s own risk, and intends to file an application seeking authority to launch and operate the satellite in the immediate future.

⁶ See EchoStar 3 Status Report.

I. THIS APPLICATION IS IN THE PUBLIC INTEREST AND WILL NOT CAUSE HARMFUL INTERFERENCE

This application is in the public interest for the reasons set forth in the EchoStar 12 STA, which are incorporated herein by reference. Furthermore, grant of this application will ensure safe station-keeping margins for each of the three satellites that will be located at the nominal 61.5° W.L. orbital location. Grant of this application also will not cause harmful interference because EchoStar 12 will be operating 0.3 degrees to the east, farther away from the nearest Broadcasting-Satellite Service (“BSS”) satellite other than EchoStar’s satellites, DIRECTV 1R, operating at 72.5° W.L.

Furthermore, while EchoStar 12 is operating at 61.35° W.L., it will continue to abide by conditions imposed in the original STA grant.⁷

II. WAIVER PURSUANT TO SECTION 304 OF THE ACT

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

III. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests the renewal of its special temporary authority for 60 days to operate EchoStar 12 at 61.35° W.L.

⁷ EchoStar 12 STA.

Respectfully submitted,

/s/

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April 14, 2010