

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

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In the Matter of)

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ECHOSTAR CORPORATION) File No. SAT-STA-20100203-00020

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Application to Renew its Special Temporary) File No. SAT-STA-20100401-00062

Authority To Operate EchoStar 6 as an)

In-Orbit Spare at 61.65° W.L.) File No. SAT-STA-2010_____

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APPLICATION FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY

By this Application, EchoStar Corporation (“EchoStar”) requests renewal of its special temporary authority (“STA”) for an additional 60 days to operate the EchoStar 6 satellite at 61.65° W.L. as an in-orbit spare while its application for authority to operate at that location remains pending.¹ Pursuant to the Commission’s authorization,² EchoStar moved the satellite to that orbital location on February 28, 2010, and the current STA to operate there expires on May 17, 2010.³

Prior to EchoStar 6’s move to the nominal 61.5° W.L. orbital location, EchoStar was operating two Direct Broadcast Satellite (“DBS”) service satellites at the nominal 61.5° W.L. orbital location – EchoStar 3 and EchoStar 12 (formerly Rainbow 1). As the Commission is aware, EchoStar 3 experienced several transponder failures due to Traveling Wave Tube

¹ See File No. SAT-A/O-20100203-00019 (filed Feb. 3, 2010).

² See Stamp Grant, File No. SAT-STA-20100203-00020 (granted Mar. 3, 2010).

³ See Stamp Grant, File No. SAT-STA-20100401-00062 (granted Apr. 23, 2010). While EchoStar requested that the STA be extended for 60 days, the Bureau limited the extension to 30 days.

Amplifier (“TWTA”) anomalies, and was operating at reduced capacity.⁴ On January 7, 2010, EchoStar 3 experienced another TWTA anomaly further diminishing its operating capacity. As a result of this failure, EchoStar was not able to maintain its level of service provided from 61.5° W.L. without at least the relocation of one additional satellite to the orbital location. EchoStar, therefore, requested and received STA to relocate EchoStar 6 to 61.65° W.L. as an in-orbit spare, where the satellite will supplement, as needed, the service provided by EchoStar 3 and EchoStar 12 to maintain regular programming.⁵ EchoStar also filed a request for full authority to maintain the satellite as an in-orbit spare and to provide service as needed, which remains pending.⁶

On May 3, 2010, EchoStar 3 experienced another transponder failure as a result of TWTA anomalies, further diminishing EchoStar 3’s operating capacity. Pursuant to its STA, EchoStar activated the communications payload of the EchoStar 6 satellite to maintain service following the failure, and notified the Commission.⁷ EchoStar now applies to extend this STA for an additional 60 days.

⁴ 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).

⁵ See Stamp Grant, File No. SAT-STA-20100203-00020 (granted Mar. 3, 2010).

⁶ File No. SAT-A/O-20100203-00019 (filed Feb. 3, 2010). The application was placed on public notice on March 26, 2010. Public Notice, Report No. SAT-00675 (Mar. 26, 2010).

⁷ See Letter to Marlene H. Dortch, Secretary, FCC, from Petra A. Vorwig, Counsel for EchoStar Corporation (dated May 3, 2010).

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

For the same reason the previous STAs were granted, so too is this modest extension in the public interest.⁸ The continued operation at 61.65° W.L. will ensure that EchoStar's customer, DISH Network Corporation, will be able to continue providing high-quality DBS service to consumers without any service interruptions until EchoStar's EchoStar 15 satellite is authorized and begins operating at 61.5° W.L.⁹ 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.

Furthermore, the continued operation of EchoStar 6 to 61.65° W.L. as an in-orbit spare will not cause harmful interference to any other U.S.-licensed satellite operator. To the east, there are no operational BSS satellites serving the United States within 9 degrees of 61.65° W.L., other than EchoStar's own EchoStar 12 satellite.¹⁰ To the west, the closest operational BSS satellite serving the United States is the DIRECTV 1R satellite, which is operating at 72.5° W.L. under Canadian authority. The DIRECTV satellite is more than 10 degrees away from the proposed orbital location for EchoStar 6 and, therefore, will not experience additional interference as a result of the proposed continued operations.

⁸ File Nos. SAT-STA-20100203-00020 (granted Mar. 3, 2010); SAT-STA-20100401-00062 (granted Apr. 23, 2010). The information provided in those applications is incorporated herein by reference.

⁹ See File No. SAT-LOA-20100310-00043 (filed Mar. 10, 2010).

¹⁰ EchoStar has been granted STA to operate EchoStar 12 at 61.35° W.L. See Stamp Grant, File Nos. SAT-STA-20100203-00021 (granted Feb. 19, 2010); SAT-STA-20100414-00076 (granted May 12, 2010). EchoStar has applied for minor modification of its authority to operate EchoStar 12 at 61.35° W.L., which is still pending. See File No. SAT-MOD-20100310-00042 (filed Mar. 10, 2010).

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 grant of its application to renew its special temporary authority for an additional 60 days to operate EchoStar 6 at 61.65° W.L. EchoStar will continue to operate the satellite pursuant to the conditions imposed in the original grant.¹¹

Respectfully submitted,

/s/

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¹¹ Stamp Grant, File No. SAT-STA-20100203-00020 (granted Mar. 3, 2010).