



## **I. PLANNED LAUNCH AND TESTING OPERATIONS**

EchoStar 15 is scheduled to launch on July 10, 2010. Therefore, EchoStar requests action on this request by that date. EchoStar plans to maneuver the satellite directly to 61.55° W.L. and conduct its testing at that location. The testing will be conducted on a non-interference basis using the available frequencies not capable of being used by the EchoStar 3 and EchoStar 12 satellites, which are also located at the nominal 61.5° W.L. orbital location. Therefore, EchoStar expects the testing to include channel 23 at 61.5° W.L., which EchoStar is currently authorized to use under STA.<sup>3</sup>

## **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.<sup>4</sup> The requested operations meet both of these tests.

First, launching and testing EchoStar 15 at 61.55° W.L. will not cause harmful interference to any other spacecraft or authorized user of the spectrum. Indeed, the only operating BSS satellites close to the 61.55° W.L. orbital location where EchoStar 15 will be tested and will operate are owned and operated by EchoStar. Consequently, EchoStar will easily be able to deal with any potential interference issues, to the extent there are any, created by the launch and testing of EchoStar 15 at 61.55° W.L. through self-coordination. In addition, EchoStar is not aware of any other BSS satellites planned to be brought into operation near 61.55° W.L.

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<sup>3</sup> See File No. SAT-STA-20100226-00037 (filed Feb. 26, 2010).

<sup>4</sup> See, e.g., Newcomb Communications, Inc., *Order and Authorization*, 8 FCC Rcd. 3631, 3633 (1993); Columbia Communications Corp., *Order*, 11 FCC Rcd. 8639, 8640 (1996); American Telephone & Telegraph Co., *Order*, 8 FCC Rcd. 8742 (1993).

Second, launching and testing EchoStar 15 at 61.55° W.L. serves the public interest, as it will allow EchoStar to ensure that the satellite is fully operational before it begins service to the public, thereby avoiding any interruption in service that otherwise might be associated with spacecraft testing. Once testing is complete, the satellite can immediately begin DBS operations and fully serve the public.

### **III. 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.

### **IV. CONCLUSION**

For the foregoing reasons, EchoStar respectfully requests the expeditious grant of a 60-day STA, commencing on or about July 10, 2010, to launch and test EchoStar 15 at 61.55° W.L. During in-orbit testing, EchoStar will operate the EchoStar 15 satellite subject to the following conditions:

- (a) EchoStar will coordinate its test operations with all potentially affected operating satellite networks.
- (b) During the test operations EchoStar 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, EchoStar will cease its test operations immediately. In addition, EchoStar will inform the Commission in writing that it has received such a notification.
- (d) EchoStar shall notify the Commission within seven days of the completion of in-orbit testing of EchoStar 15 that it has completed testing and commenced service.

Respectfully submitted,

**EchoStar Corporation**

/s/

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