

S2740 SAT-STA-20100824-00183 IE2010002647
DISH Operating L.L.C.
EchoStar 7

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File Number: SAT-STA-20100824-00183
Callsign:

File # SAT-STA-20100824-00183

Call Sign S2740 Grant Date 10/14/10

(or other identifier) Term Dates 180 days
From 09/10/10 To:

Approved by OMB
3060-0678

Approved: *Stephen J. Duall*

Stephen J. Duall
Chief, Satellite Policy Branch



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 the EchoStar 7 Satellite at 118.8 W.L.


I. Applicant

Name:	DISH Operating L.L.C.	Phone Number:	303-723-1000
DBA Name:		Fax Number:	303-723-1699
Street:	9601 South Meridian Boulevard	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112
Attention:			-

DISH Operating L.L.C.
SAT-STA-20100824-00183
Call Sign: S2740

The application of DISH Operating L.L.C. (DISH), IBFS File No. SAT-STA-20100824-00183, for special temporary authority to operate the EchoStar 7 space station (Call Sign S2740) at the 118.8° W.L. orbital location for a period of 180 days, commencing on September 10, 2010, using its previously authorized Direct Broadcast Satellite (DBS) channels 1-21, is GRANTED. This authorization is granted in accordance with the technical specifications set forth in its application, its initial authorization (IBFS File Nos. SAT-A/O-20010810-00073, SAT-MOD-20010810-00071),¹ the Commission's rules, and the following conditions:

1. While at the 118.8° W.L. orbital location, DISH shall maintain the EchoStar 7 spacecraft with an east/west longitudinal station-keeping tolerance of +/- 0.05 degrees.
2. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at DISH's own risk.
3. Grant of this authorization is without prejudice to any determination the Commission may make regarding permanent operations of the EchoStar 7 space station at the 118.8° W.L. orbital location in IBFS File Nos. SAT-MOD-20100329-00058 and SAT-AMD-20100610-00127.
4. DISH is afforded thirty days from the date of release of this action to decline the authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
5. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately.

 GRANTED* International Bureau *with conditions	File #	SAT-STA-20100824-00183		
	Call Sign	S2740	Grant Date	10/14/10
	(or other identifier)		Term Dates	period of 180 days
	From	09/10/10	To:	
	Approved:	<i>Stephen J. Duall</i> Stephen J. Duall Chief, Satellite Policy Branch		

¹ Granted in EchoStar Satellite Corporation, *Order and Authorization*, 17 FCC Rcd 894 (Sat. & Rad. Div., Int'l Bur. 2002).

2. Contact	
Name: Pantelis Michalopoulos	Phone Number: (202) 429-6494
Company: Steptoe & Johnson LLP	Fax Number:
Street: 1330 Connecticut Ave. NW	E-Mail: pmichalopoulos@steptoe.com
City: Washington	State: DC
Country: USA	Zipcode: 20036
Attention:	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 IB2010000656	
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	
118.8 W.L.	7. Requested Extended Expiration Date
	2011-03-08 00:00:00.0

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.)

DISH Operating L.L.C. seek special temporary authority to operate the EchoStar 7 satellite at 118.8 W.L.

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.

Yes No

10. Name of Person Signing
Alison Minea

11. Title of Person Signing
Corporate Counsel

12. Please supply any need attachments.

Attachment 1: Narrative

Attachment 2:

Attachment 3:

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).

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

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

In the Matter of)

DISH OPERATING L.L.C.)

Request for Renewal of Special Temporary Authority to Operate EchoStar 7 at 118.8° W.L.)

) File No. SAT-STA-20100219-00031

) File No. SAT-STA-20100824-_____

REQUEST FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY

By this application, DISH Operating L.L.C. (“DISH”) respectfully requests renewal of its Special Temporary Authority (“STA”) to operate the EchoStar 7 satellite at 118.8° W.L. within the 119° W.L. Direct Broadcast Satellite (“DBS”) orbital cluster¹ for an additional 180 days.² The current authority expires on September 9, 2010. DISH requested authority to move EchoStar 7 to, and operate the satellite at, 118.8° W.L. in order to accommodate the EchoStar 14 satellite.³ The latter satellite, launched on May 27, 2010, has increased the quality of service and the amount of programming available from the 119° W.L. cluster.⁴

¹ Specifically, EchoStar 7 will continue to 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. As further explained in DISH’s Opposition to Petition to Dismiss or Deny, which is hereby incorporated by reference, DBS licensees have consistently been afforded significant flexibility to relocate their satellites within the DBS cluster. DISH Operating L.L.C., Opposition to Petition of Spectrum Five LLC to Dismiss or Deny, at 3-5, *filed in* File No. SAT-MOD-20100329-00058 (filed May 27, 2010).

² See Stamp Grant, File No. SAT-STA-20100219-00031 (granted Apr. 16, 2010).

³ File Nos. SAT-MOD-20100329-00058, SAT-AMD-20100610-00127 (“Amendment Application”). Spectrum Five LLC filed Petitions to Dismiss or Deny both the original modification application and the subsequent amendment. See Spectrum Five LLC, Petition to Dismiss or Deny, *filed in* File No. SAT-MOD-20100329-00058 (filed May 17, 2010); see also

For the reasons set forth below, the continued operation 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 STA.

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.⁵ The slight move of EchoStar 7 to 118.8° W.L. will not cause harmful operational or physical 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 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.

Spectrum Five LLC, Petition to Dismiss or Deny, *filed in* SAT-AMD-20100610-00127 (filed Aug. 2, 2010). The response periods for these two proceedings have now closed.

⁴ See Letter from Petra A. Vorwig, Counsel for DISH Operating L.L.C., to Marlene H. Dortch, Secretary, FCC, *filed in* File Nos. SAT-LOA-20090518-00053, SAT-AMD-20090604-00064, SAT-MOD-20100212-00027.

⁵ 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).

For the same reason, the slight move does not create any additional risk of physical collision. As DISH demonstrated in the orbital debris mitigation plan that it submitted in its Amendment Application in response to a request from the Bureau, the satellite has been manufactured to minimize the risk of becoming a source of debris in the event of a collision.⁶ DISH has also indicated that it will be able to physically coordinate with Spectrum Five LLC in the event its pending application for a 17/24 GHz Broadcasting-Satellite Service satellite is granted and the satellite is launched.⁷ As for the physical proximity of the satellite to Anik F3, which is located at 118.7° W.L., DISH will continue to coordinate the stationkeeping of EchoStar 7 with Anik F3's operator, Telesat Canada. DISH 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.

The public interest is served since EchoStar 7's continued operations at 118.8° W.L. will better accommodate EchoStar 14 at 118.9° W.L. DISH accordingly seeks authority to maintain EchoStar 7 at the 118.8° W.L. orbital location subject to the conditions set forth in the grant.⁸

II. 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.

⁶ Amendment Application, Attachment A.

⁷ *Id.* at 4.

⁸ *See* Stamp Grant, File No. SAT-STA-20100219-00031 (granted Apr. 16, 2010).

III. CONCLUSION

For the foregoing reasons, DISH respectfully requests renewal of its special temporary authority to operate EchoStar 7 at 118.8° W.L.

Respectfully submitted,

/s/

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August 24, 2010