

S2232 SAT-STA-20110207-00026 IB2011000395
EchoStar Corporation
EchoStar 6

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File Number: SAT-STA-20110207-00026
Callsign:

GRANTED*
International Bureau
*with conditions

File # SAT-STA-20110207-00026
Call Sign S2232 **Grant Date** 02/11/11
(or other identifier)
From 02/11/11 **Term Dates** **Period of**
To: 30 days
Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

Approved by OMB
3060-0678

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY
FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Special Temporary Authority to Operate EchoStar 6 at 76.95 W.L.


I. Applicant

Name:	EchoStar Corporation	Phone Number:	202-293-0981
DBA Name:		Fax Number:	
Street:	100 Inverness Terrace East	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:	Alison Minea		

Attachment to Grant
IBFS File No. SAT-STA-20110207-00026
Call Sign S2232
February 11, 2011

The application of EchoStar Corporation (EchoStar), IBFS File No. SAT-STA-20110207-00026, for special temporary authority is granted. Accordingly, EchoStar is authorized, for a period of 30 days, to operate a Direct Broadcast Satellite (DBS) service space station, EchoStar 6 (Call Sign: S2232), at the 76.95° W.L. orbital location on DBS channels 1-32 with feeder links (Earth-to-space) in the 17.3-17.8 GHz band and service links (space-to-Earth) in the 12.2-12.7 GHz band. EchoStar is also authorized to conduct on-station telecommand operations using one megahertz of occupied bandwidth at the center frequency of 17.305 GHz with left-hand circular polarization (Earth-to-space) and to operate the telemetry and ranging links (space-to-Earth) of EchoStar 6 using 300 kilohertz of occupied bandwidth at each of the downlink center frequencies, 12.203 GHz and 12.204 GHz, with left-hand circular polarization. This authorization shall be in accordance with the technical specifications set forth in EchoStar's application, the Commission's rules, and the following conditions:

1. All operations shall be on an unprotected and non-harmful interference basis, *i.e.*, the EchoStar 6 space station shall not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating station. In the event of any harmful interference, EchoStar shall cease operations immediately upon notification of such interference, and shall inform the Commission, in writing, immediately of such an event.
2. EchoStar shall maintain full operational control of the EchoStar 6 space station at all times.
3. While at the 76.95° W.L. orbital location, EchoStar shall maintain the EchoStar 6 space station within an east/west longitudinal station-keeping tolerance of ± 0.05 degrees. EchoStar shall not operate the EchoStar 6 satellite outside these station-keeping limits without further authorization.
4. EchoStar must comply with the applicable laws, regulations, rules and authorization process of any country in which it seeks to provide service.
5. EchoStar shall operate EchoStar 6 within the specifications of the coordination agreement between Mexico and Canada regarding the Mexican 77° W.L. orbital location and the Canadian 82° W.L. and 72.5° W.L. orbital locations and/or future such coordination agreements.
6. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at EchoStar's own risk.
7. EchoStar is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
8. 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. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.

 GRANTED* International Bureau * with conditions	File # <u>SAT-STA-20110207-00026</u>
	Call Sign <u>S2232</u> Grant Date <u>02/11/11</u>
	(or other identifier)
	Term Dates Period of From <u>02/11/11</u> To: <u>30 days</u>
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

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	
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 type="radio"/> Extend Expiration Date <input type="radio"/> Other
6. Temporary Orbit Location	
76.95 W.L.	7. Requested Extended Expiration Date

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.)

EchoStar Corporation seeks special temporary authority for 30 days to operate the EchoStar 6 satellite at 76.95 W.L. See attached narrative.

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)	
)	Call Sign S2232
ECHOSTAR CORPORATION)	
)	File No. SAT-STA-2011_____
Application for Emergency Special Temporary)	
Authority to Operate EchoStar 6 at 76.95° W.L.)	
)	
)	

EXPEDITED CONSIDERATION REQUESTED

APPLICATION FOR EMERGENCY SPECIAL TEMPORARY AUTHORITY

By this Application, EchoStar Corporation (“EchoStar”) requests emergency Special Temporary Authority (“STA”),¹ under Section 25.120(a),² for 30 days to operate the EchoStar 6 satellite from the 76.95° W.L. orbital location. The Commission has already granted EchoStar’s request for emergency STA to move the satellite from 61.65° W.L. to 76.95° W.L.³ These emergency requests are necessary to allow EchoStar to transfer traffic to EchoStar 6 while it completes its restoration activities following the recent single event upset (“SEU”) that

¹ In conjunction with this application, EchoStar is filing an application for STA to operate three transmit/receive earth stations to provide TT&C and feeder link service to EchoStar 6 while it is located at 76.95° W.L.

² 47 C.F.R. § 25.120(a).

³ See Stamp Grant, File No. SAT-STA-20110204-00025 (granted Feb. 4, 2011). EchoStar also filed applications for STA to operate four transmit/receive earth stations to provide TT&C for the satellite while it is relocated to 76.95° W.L. See Stamp Grant, File Nos. SES-STA-INTR2011-00376 (granted Feb. 4, 2011), SES-STA-INTR2011-00377 (granted Feb. 4, 2011), SES-INTR2011-00378 (granted Feb. 4, 2011), SES-STA-INTR2011-00379 (granted Feb. 4, 2011).

temporarily affected the EchoStar 8 satellite.⁴ As a consequence, EchoStar had to move traffic from EchoStar 8 to other satellite capacity. The problems caused by the SEU have been resolved in part, and EchoStar has started to restore traffic on EchoStar 8. EchoStar has determined, however, that additional tests of EchoStar 8's health are necessary. To conduct these tests without disrupting service to customers, it is necessary to be able to transfer traffic seamlessly to another satellite at the same orbital location. The instant request is in response to this need.

The Mexican concessionaire for the 77° W.L. orbital location informed COFETEL of the SEU, and COFETEL "expressed no objection to placement of the Echo 6 satellite in the 77 W cluster."⁵

Since the need for the EchoStar 8 tests is urgent, EchoStar respectfully requests action on this request by **February 10, 2011**.⁶

I. BACKGROUND

The nominal 77° W.L. orbital location is allotted to Mexico under the Region 2 Broadcasting-Satellite Service plan set forth in Appendices 30 and 30A to the international

⁴ As EchoStar stated to the Commission in a letter dated February 1, 2011, EchoStar believes that the SEU, which occurred on January 30, 2011, did not cause any significant or permanent damage that will affect EchoStar 8's future operations. *See* Letter from Petra A. Vorwig, Counsel for EchoStar Corporation, to Marlene H. Dortch, Secretary, FCC, filed in File No. SAT-T/C-20090217-00026 (Feb. 1, 2011).

⁵ *See* Attachment 2, Letter from Ricardo Ríos Ferrer, Legal Representative, QuetzSat, S. de R.L. de C.V., to EchoStar Satellite Service LLC (Feb. 4, 2011). EchoStar will soon file a modification application to allow the provision of service to the United States (to the extent necessary) from EchoStar 6 located at 76.95° W.L. as a Mexican-licensed satellite.

⁶ The technical parameters of the satellite and its proposed operations are provided in the attached Technical Annex (Attachment 1) and Schedule S. Please note that the Schedule S was created based on an orbital location of 77.0° W.L.; however, EchoStar 6 will operate at 76.95° W.L. The 0.05° offset from the orbital position described in the Schedule S will affect the interference analysis provided in the Schedule S by only 0.003 dB for a 50 cm antenna, which in practical terms is negligible.

Radio Regulations. EchoStar currently operates three Direct Broadcast Satellites (“DBS”) at the nominal 77° W.L. orbital location under Mexican authority issued to its partner, QuetzSat, S. de R.L. de C.V. (“QuetzSat”): EchoStar 1, EchoStar 4, and EchoStar 8. The satellites are used by EchoStar’s customer DISH Network L.L.C. (“DISH”) and DISH Mexico to provide DBS service in the United States and Mexico, respectively. The U.S. service includes local-into-local programming in a number of markets in the southern United States.

The spare capacity available at 77° W.L. is not enough to provide full “redundancy” for EchoStar 8. As the Commission is aware, EchoStar 4 recently experienced transponder anomalies, and is not currently operational.⁷ As for EchoStar 1, a satellite launched in December 1995, it has limited capability (only up to 16 transponders), and thus it, too, is inadequate to the task of carrying the traffic necessary during EchoStar 8’s tests.

For the reasons set forth herein, grant of this Application will not cause harmful interference to any authorized user of the spectrum and will serve the public interest.

II. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

The emergency STA requested in this application is in the public interest because it will ensure the provision of DBS service to the United States, including the provision of local-into-local service in the southern United States, and ensure continuity of receipt of both national and local programming for the subscribers of EchoStar’s customer, DISH, while EchoStar 8 undergoes testing. Additionally, it will provide spare capacity at 77° W.L. in the event EchoStar 1 or EchoStar 8 suffers a problem. Moreover, this move will not result in a service interruption at 61.65° W.L. because EchoStar 12 and EchoStar 15 will continue to provide service from that

⁷ See Confidential Letter from Pantelis Michalopoulos, Counsel for EchoStar Corporation to Stephen Duall, IB, FCC, File Nos. SAT-STA-20100920-00199, SAT-STA-20100920-00198, SAT-STA-20100920-00197 (Jan. 18, 2011).

orbital slot, and EchoStar 3 is available as an in-orbit spare in the event either of these satellites suffers an outage.⁸

The relocation of EchoStar 6 to 76.95° W.L. and its operation there also will not cause harmful interference to any other U.S.-licensed satellite operator. There is no DBS orbital location in the vicinity of 77° W.L. that is assigned to the United States (the closest U.S. location is 61.5° W.L.). There will likewise be no harmful interference from the operation of an additional satellite at 76.95° W.L. into Canada's DBS allotments at 72.5° W.L. and 82° W.L. There is an existing coordination agreement between Mexico and Canada regarding the Mexican 77° W.L. orbital location and the Canadian orbital locations 82° W.L. and 72.5° W.L. While EchoStar 6 will remain a U.S.-licensed satellite, EchoStar will operate the satellite so that it is within the specifications of that agreement and/or future coordination agreements.

While EchoStar 6 is operating at 76.95° W.L., EchoStar will operate the satellite in accordance with the following conditions:

1. Operations shall be on a non-harmful interference basis, meaning that EchoStar shall not cause interference to, and shall not claim protection from, interference caused to it by any other lawfully operating satellites operating within the parameters of applicable international coordination agreements.
2. In the event that any harmful interference is caused while the satellite is operating at 77° W.L., EchoStar shall cease operations immediately upon notification of such interference and shall inform the Commission immediately, in writing, of such event.

Finally, the proposed temporary operation of the EchoStar 6 satellite at 76.95° W.L. will not create any risk of in-orbit collision. EchoStar 6 will be maintained within +/- 0.05° east/west

⁸ See Stamp Grant, File No. SAT-STA-20110103-00002 (granted Jan. 13, 2011).

station-keeping, which will ensure that its station-keeping volume will not overlap with EchoStar's own satellites at 77° W.L.

III. 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.

IV. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests the grant of its application for emergency special temporary authority for 30 days to operate EchoStar 6 at the 76.95° W.L. nominal orbital location.

Respectfully submitted,

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/s/
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February 7, 2011