

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

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In the Matter of	)	
	)	
<b>ECHOSTAR CORPORATION</b>	)	Call Sign S2232
	)	
Application to Renew its Special Temporary	)	File No. SAT-STA-2011_____
Authority to Operate EchoStar 6 at 76.95° W.L.	)	File No. SAT-STA-20110207-00026
	)	
	)	

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**APPLICATION TO RENEW SPECIAL TEMPORARY AUTHORITY**

By this Application, EchoStar Corporation (“EchoStar”)<sup>1</sup> requests renewal of its Special Temporary Authority (“STA”),<sup>2</sup> under Section 25.120(b),<sup>3</sup> for an additional 30 days to operate the EchoStar 6 satellite from the 76.95° W.L. orbital location. The current STA expires on March 12, 2011.<sup>4</sup>

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<sup>1</sup> On February 24, 2011, EchoStar Corporation filed an application requesting consent to the *pro forma* assignment of its authorization to operate the EchoStar 6 satellite (Call Sign S2232) and the associated special temporary authority to operate the satellite at 76.95° W.L. to EchoStar Satellite Operating Corporation. File No. SAT-ASG-20110224-00033 (filed Feb. 24, 2011). EchoStar requests that, in the event this STA request is granted prior to consummation of the *pro forma* assignment, that EchoStar be authorized to assign any authority granted in response to this request on a *pro forma* basis to EchoStar Satellite Operating Corporation.

<sup>2</sup> In conjunction with this application, EchoStar is filing an application to renew its 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.

<sup>3</sup> 47 C.F.R. § 25.120(b).

<sup>4</sup> File No. SAT-STA-20110207-00026 (granted Feb. 11, 2011). The technical parameters of the satellite and its operations were provided in the Technical Annex and Schedule S submitted with the original application.

EchoStar 6 arrived at the 76.95° W.L. orbital location on February 13, 2011, and began providing service on February 14, 2011. This request is necessary to allow EchoStar to continue operating EchoStar 6 while it completes its restoration activities following the recent single event upset (“SEU”) that temporarily affected the EchoStar 8 satellite.<sup>5</sup> As a consequence, EchoStar had to move traffic from EchoStar 8 to other satellite capacity. As noted in the original application for STA,<sup>6</sup> 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 was necessary to transfer traffic seamlessly to EchoStar 6. The requested extension is necessary to continue these tests.

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.”<sup>7</sup>

## **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 Radio Regulations. EchoStar currently operates three Direct Broadcast Satellite (“DBS”) service

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<sup>5</sup> 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).

<sup>6</sup> File No. SAT-STA-20110207-00026 (granted Feb. 11, 2011).

<sup>7</sup> See Letter from Ricardo Ríos Ferrer, Legal Representative, QuetzSat, S. de R.L. de C.V., to EchoStar Satellite Service LLC (Feb. 4, 2011), *filed in* File No. SAT-STA-20110207-00026, Attachment 2. 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.

satellites 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.

Without EchoStar 6, the spare capacity available at 77° W.L. is not enough to provide full “redundancy” for EchoStar 8. EchoStar 4 has reached the end of its design life and has been retired from commercial service. 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 same reasons that the original request was granted, 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**

Renewal of EchoStar’s STA to operate EchoStar 6 at 76.95° W.L. is in the public interest because it will continue to 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.

The continued operation of EchoStar 6 to 76.95° W.L. 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. EchoStar will operate EchoStar 6 within the specifications of this coordination agreement as well as the informal operator-to-operator arrangement it has established with DIRECTV to ensure compatibility among their satellites operating at 77° W.L. and 72.5° W.L., respectively. EchoStar will also abide by the conditions imposed on the original grant.<sup>8</sup>

Finally, the continued 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 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 to renew its special temporary authority to operate EchoStar 6 at the 76.95° W.L. orbital location for an additional 30 days.

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<sup>8</sup> File No. SAT-STA-20110207-00026 (granted Feb. 11, 2011).

Respectfully submitted,

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