

**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-2011\_\_\_\_\_

) Call Sign S2741

Application for Special Temporary Authority )

to Operate EchoStar 3 as an )

In-Orbit Spare at 61.45° W.L. for 180 Days )

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**APPLICATION FOR SPECIAL TEMPORARY AUTHORITY**

EchoStar Corporation (“EchoStar”)<sup>1</sup> hereby requests special temporary authority (“STA”) under Section 25.120(b) of the Commission’s rules<sup>2</sup> to operate the EchoStar 3 satellite at 61.45° W.L. as an in-orbit spare for 180 days. Pursuant to the Commission’s authorization, EchoStar moved the satellite to that orbital location on July 10, 2010, to accommodate EchoStar 15,<sup>3</sup> and has been operating the satellite under a 30-day STA. The current STA to operate there expires on March 6, 2011.<sup>4</sup> EchoStar, therefore, requests to extend its temporary authority to operate the satellite as an in-orbit spare at that location for an additional 180 days.

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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 3 satellite (Call Sign S2741) 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> 47 C.F.R. § 25.120(b).

<sup>3</sup> See Stamp Grant, File No. SAT-STA-20100615-00135 (granted July 7, 2010).

<sup>4</sup> See Stamp Grant, File No. SAT-STA-20110202-00021 (granted Feb. 9, 2011).

As the Commission is aware, on July 10, 2010, EchoStar successfully launched EchoStar 15, a 32-transponder Direct Broadcast Satellite (“DBS”) that, in light of the loss of AMC-14, is effectively replacing EchoStar 3.<sup>5</sup> The satellite became fully operational on August 5, 2010. To accommodate testing and operation of EchoStar 15 at 61.55° W.L., and the concurrent and efficient operation of EchoStar’s other satellites at the nominal 61.5° W.L. orbital location, the EchoStar 3 satellite was moved to 61.45° W.L. EchoStar 3, along with EchoStar 12, will supplement the service, as needed, provided by EchoStar 15 to maintain regular programming. The continued operation of EchoStar 3 at 61.45° W.L. as an in-orbit spare ensures that EchoStar’s customer, DISH Network L.L.C. (“DISH”), will be able to provide DBS service to consumers without any service interruptions.

**I. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST AND WILL NOT CAUSE HARMFUL INTERFERENCE**

For the same reason the previous 30-day STA was granted, this extension is even more so in the public interest. Grant of this application will provide EchoStar temporary authority for a longer term and reduce the administrative burden on the Commission. Furthermore, operation of EchoStar 3 at 61.45° W.L. will continue to ensure safe station-keeping margins for each of the satellites that will be located at the nominal 61.5° W.L. orbital location.

Grant of this application also will not cause harmful interference because EchoStar 3 has moved 0.05 degrees to the east, farther away from the nearest Broadcasting Satellite Service satellite other than EchoStar’s satellites, DIRECTV 1R, which is operating at 72.5° W.L.

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<sup>5</sup> See Stamp Grant, File No. SAT-LOA-20100310-00043 (granted July 1, 2010).

Additionally, while EchoStar 3 is operating at 61.45° W.L., it will continue to abide by the conditions set forth in the grant of its initial STA.<sup>6</sup>

EchoStar notes that, although EchoStar 3 is currently in a storage configuration and not broadcasting to Earth, in the event of a technical failure of another satellite, EchoStar may bring EchoStar 3 back into use. This will ensure that there is no interruption of service to DBS consumers receiving service from EchoStar's customer, DISH.

## **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 for special temporary authority to operate EchoStar 3 at 61.45° W.L. as an in-orbit spare for 180 days. EchoStar will continue to operate the satellite pursuant to the conditions imposed in the initial STA grant.<sup>7</sup>

Respectfully submitted,

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/s/

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<sup>6</sup> See Stamp Grant, File No. SAT-STA-20100803-00173 (granted Aug. 6, 2010).

<sup>7</sup> *Id.*

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