

S2741 SAT-STA-20110225-00038 IB2011000604
EchoStar Corporation
EchoStar 3

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Callsign:

File # SAT-STA-20110225-00038
Call Sign S2741 Grant Date 04/07/11
(or other identifier)
From 05/07/11 Term Dates period of
To: 180 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
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Application for Special Temporary Authority to Operate EchoStar 3 as an In-Orbit Spare at 61.45 W.L. for 180 days


1. 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 Minca		

Attachment to Grant
EchoStar Corporation
IBFS File No. SAT-STA-20110225-00038
Call Sign S2741
April 7, 2011

The application of EchoStar Corporation (EchoStar) for special temporary authority, IBFS File No. SAT-STA-20110225-00038, IS GRANTED. Accordingly, EchoStar is authorized for 180 days, commencing May 7, 2011, to conduct telemetry, tracking, and control operations sufficient to maintain the EchoStar 3 space station (Call Sign S2741) as an in-orbit spare at the 61.45° W.L. orbital location. All operations of the EchoStar 3 space station must be in accordance with the technical specifications set forth in EchoStar's application, Federal Communication Commission (Commission) rules, and the conditions set forth below.

1. All operations at the 61.45° W.L. orbital location 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. 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 the EchoStar 3 space station at the 61.45° W.L. orbital location with an east/west longitudinal station-keeping tolerance of ± 0.05 degrees.
3. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at EchoStar's own risk.
4. EchoStar is afforded 30 days from the date of the release of this action to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of this authorization as conditioned.
5. This grant is issued pursuant to 47 C.F.R. § 0.261 of the Commission's rules on delegated authority, and is effective immediately.

 GRANTED* International Bureau *with conditions	File # <u>SAT-STA-20110225-00038</u>
	Call Sign <u>S2741</u> Grant Date <u>04/07/11</u>
	(or other identifier)
	Term Dates period of From <u>05/07/11</u> To: <u>180 days</u>
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

2. Contact	
Name:	Pantelis Michalopoulos
Company:	Step toe & Johnson LLP
Street:	1330 Connecticut Ave. NW
City:	Washington
Country:	USA
Attention:	
Phone Number:	202-429-6494
Fax Number:	
E-Mail:	
State:	DC
Zipcode:	20036
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 SATSTA2011022500037 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 type="radio"/> Change Station Location	<input type="radio"/> Extend Expiration Date
	<input checked="" type="radio"/> Other
6. Temporary Orbit Location	
61.45 W.L.	7. Requested Extended Expiration Date
	2011-09-03 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.)

EchoStar Corporation requests Special Temporary Authority to operate its EchoStar 3 satellite as an in-orbit spare at 61.45 W.L. for 180-days. 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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**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”)¹ hereby requests special temporary authority (“STA”) under Section 25.120(b) of the Commission’s rules² 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 15,³ and has been operating the satellite under a 30-day STA. The current STA to operate there expires on March 6, 2011.⁴ 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.

¹ 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.

² 47 C.F.R. § 25.120(b).

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

⁴ 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 3.⁵ 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.

⁵ 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.⁶

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.⁷

Respectfully submitted,

/s/

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

⁷ *Id.*

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February 25, 2011