

S2232 SAT-STA-20110608-00104 IB2011001631
EchoStar Satellite Operating Corporation
EchoStar 6

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File Number: SAT-STA-20110608-00104
Callsign:

File # SAT-STA-20110608-00104
Call Sign S2232 Grant Date 06/14/11
(or other identifier) Term Dates Period of
From 06/11/11 To: 60 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:
Renewal of Special Temporary Authority to Operate EchoStar 6 at 76.95 W.L.

1. Applicant

Name:	EchoStar Satellite Operating 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:	Ms Alison Minea		

Attachment to Grant
EchoStar Satellite Operating Corporation
IBFS File No. SAT-STA-20110608-00104
Call Sign S2232
June 14, 2011

EchoStar Satellite Operating Corporation is granted special temporary authority to continue operating the EchoStar 6 space station (Call Sign S2232) at the 76.95° W.L. orbital location for a period of 60 days commencing on June 11, 2011. Operations pursuant to this authorization shall be in accordance with conditions imposed as part of EchoStar Corporation's initial authorization to operate EchoStar 6 at this orbital location, granted on February 11, 2011. IBFS File No. SAT-STA-20110207-00026.

 GRANTED* International Bureau * with conditions	File # <u>SAT-STA-20110608-00104</u>
	Call Sign <u>S2232</u> Grant Date <u>06/14/11</u> (or other identifier)
	Term Dates period of From <u>06/11/11</u> To: <u>60 days</u>
	Approved: <u><i>Stephen J. Duall</i></u> Stephen J. Duall Chief, Satellite Policy Branch

2. Contact	
Name:	Pantelis Michalopoulos Phone Number: 202-429-6494
Company:	Stephoe & Johnson LLP Fax Number:
Street:	1330 Connecticut Ave. NW E-Mail: pmichalopoulos@stephoe.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 SATSTA2011040100067 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 checked="" type="radio"/> Extend Expiration Date <input type="radio"/> Other
6. Temporary Orbit Location 76.95	7. Requested Extended Expiration Date 2011-08-10 00:00:00.0

<p>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.)</p> <div style="border: 1px solid black; padding: 5px;"> <p>EchoStar Satellite Operating Corporation requests renewal of its Special Temporary Authority to operate the EchoStar 6 satellite at 76.95 W.L. See attached narrative.</p> </div>					
<p>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 &quot;party to the application&quot;; for these purposes.</p> <p style="text-align: right;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </p>					
<p>10. Name of Person Signing Alison Minea</p>	<p>11. Title of Person Signing Corporate Counsel</p>				
<p>12. Please supply any need attachments.</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Attachment 1: Narrative</td> <td style="width: 50%;">Attachment 2:</td> </tr> <tr> <td></td> <td>Attachment 3:</td> </tr> </table>		Attachment 1: Narrative	Attachment 2:		Attachment 3:
Attachment 1: Narrative	Attachment 2:				
	Attachment 3:				
<p style="text-align: center;">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).</p>					

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

In the Matter of)	
)	
ECHOSTAR SATELLITE OPERATING CORPORATION)	Call Sign S2232
)	File No. SAT-STA-2011_____
Application to Renew Its Special Temporary Authority to Operate EchoStar 6 at 76.95° W.L.)	File No. SAT-STA-20110401-00067
)	File No. SAT-STA-20110225-00036
)	File No. SAT-STA-20110207-00026
)	

APPLICATION TO RENEW SPECIAL TEMPORARY AUTHORITY

By this Application, EchoStar Satellite Operating Corporation (“ESOC”) requests renewal of its Special Temporary Authority (“STA”), under Section 25.120(b)(3) of the Commission’s rules,¹ for an additional 60 days to operate the EchoStar 6 satellite from the 76.95° W.L. orbital location. The current STA expires on June 11, 2011.²

EchoStar 6 arrived at the 76.95° W.L. orbital location on February 13, 2011, and began providing service on February 14, 2011. The relocation was prompted by a single event upset (“SEU”) that temporarily affected the EchoStar 8 satellite.³ On March 14, 2011, ESOC’s parent company, EchoStar Corporation (“EchoStar”), filed an application to transfer the satellite to QuetzSat, S. de R.L. de C.V. (“QuetzSat”), which will operate the satellite under Mexican

¹ 47 C.F.R. § 25.120(b)(3).

² See Stamp Grant, File No. SAT-STA-20110401-00067 (granted Apr. 7, 2011). The technical parameters of the satellite and its operations were provided in the Technical Annex and Schedule S submitted with the original STA application. See File No. SAT-STA-20110207-00026 (granted Feb. 11, 2011).

³ 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).

authority from the 76.95° W.L. orbital location.⁴ EchoStar also filed an application to modify its blanket earth station authorization to provide service from the Mexican-licensed EchoStar 6 satellite.⁵ ESOC's current STA renewal request is necessary to allow it to continue operating EchoStar 6 while these applications remain pending.

The Mexican concessionaire for the 77° W.L. orbital location informed COFETEL of EchoStar 6's relocation, and COFETEL "expressed no objection to placement of the Echo 6 satellite" in the 77° W.L. cluster.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 Radio Regulations. In addition to the EchoStar 6 satellite, ESOC currently operates three Direct Broadcast Satellite ("DBS") service 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 customers, DISH Network L.L.C. ("DISH") and DISH Mexico, to provide DBS service in the United States and Mexico,

⁴ See File No. SAT-T/C-20110314-00054 (filed Mar. 14, 2011). On April 21, 2011, the Commission consented to the *pro forma* assignment of EchoStar's authorization to launch and operate EchoStar 6 to ESOC. See File No. SAT-ASG-20110224-00033 (granted Apr. 21, 2011). The *pro forma* assignment was consummated on May 23, 2011. See Letter from Pantelis Michalopoulos and L. Lisa Sandoval, Counsel for EchoStar Corporation and EchoStar Satellite Operating Corporation, to Marlene H. Dortch, Secretary, FCC, *filed in* File No. SAT-ASG-20110224-00033 (May 23, 2011).

⁵ See File No. SES-MFS-20110314-00288 (filed Mar. 14, 2011) ("Blanket Earth Station Application").

⁶ 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.

respectively. The U.S. service includes local-into-local programming in a number of markets in the southern United States.

EchoStar 6, operating with EchoStar 1 and EchoStar 8 at 77° W.L., will provide sufficient capacity to avoid service disruptions from that slot in the event any of the satellites experience a problem. EchoStar 1, a satellite launched in December 1995, has limited capability (only up to 16 transponders), and EchoStar 4, having reached the end of its design life, has been retired from commercial service. EchoStar 8 is fully functional.

II. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

Renewal of ESOC'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. It will also ensure continuity of receipt of both national and local programming for the subscribers of EchoStar's customer, DISH, by providing spare capacity at 77° W.L. in the event EchoStar 1 or EchoStar 8 suffers a problem.

The continued operation of EchoStar 6 at 76.95° W.L. 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. orbital location is 61.5° W.L., an orbital location held only by ESOC). 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. ESOC 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. ESOC will also abide by the conditions imposed on the original grant.⁷

Finally, the continued 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 ESOC'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, ESOC 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, ESOC 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 60 days.

⁷ See File No. SAT-STA-20110207-00026 (granted Feb. 11, 2011).

