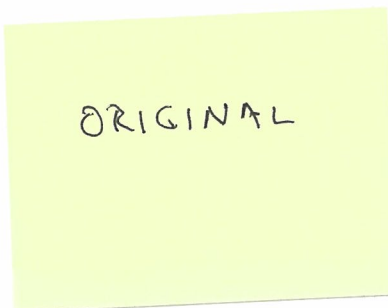


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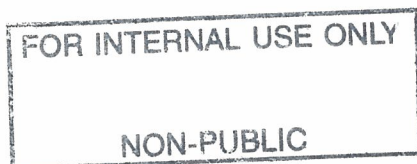


FILED UNDER SEAL OF CONFIDENTIALITY

July 6, 2011

Via Hand Delivery

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



FILED/ACCEPTED

JUL 6 2011

Federal Communications Commission
Office of the Secretary

REQUEST FOR CONFIDENTIAL TREATMENT

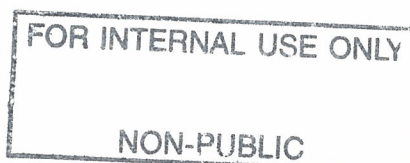
Re: EchoStar Satellite Operating Corporation, File No. SAT-LOA-19880128-00046, SAT-STA-20110627-00122, Call Sign S2621

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation (“EchoStar”) is submitting the attached amendment¹ to its existing application for Special Temporary Authority (“STA”) to deorbit the EchoStar 4 satellite from its current orbital location at 76.85° W.L.² along with attachments providing information regarding the planned deorbiting of the satellite. EchoStar received from Lockheed Martin (“Lockheed”) information regarding the technical specifications for the deorbiting of EchoStar 4. EchoStar respectfully requests that the attached information be treated as confidential in its entirety and not routinely available for public inspection pursuant to 47 C.F.R. §§ 0.457 and 0.459. Redacted versions of these attachments are being filed separately.

¹ See File No. SAT-AMD-201107__ - ____ (filed July 6, 2011).

² See File No. SAT-STA-20110627-00122 (filed June 27, 2011).



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Page 2

The information contained in the attachments is highly sensitive and confidential information concerning the deorbiting procedures for EchoStar 4. While EchoStar periodically discloses general information about the health of its existing satellites in its annual reports, it does not disclose publicly the detailed technical information found in the attachments. The information is also highly sensitive and proprietary information owned by Lockheed that must be protected from Lockheed's competitors as well.

The information in the attached, therefore, qualifies as commercial and technical information "that would customarily be guarded from competitors"³ regardless of whether or not such materials are protected from disclosure by a privilege. In addition, such information, if disclosed, could result in "substantial competitive harm" to EchoStar and Lockheed by giving their competitors precise knowledge about the deorbiting of the EchoStar 4 satellite. Therefore, this information warrants protection under 47 C.F.R. §§ 0.457 and 0.459. This request is similar to requests made by many satellite operators and manufacturers in the past.

Finally, denying EchoStar's request that this information be kept confidential would impair the Commission's ability to obtain this type of voluntarily disclosed information in the future. The ability of a government agency to continually obtain confidential information was behind the legislative purpose in developing exemptions from the Freedom of Information Act.⁴ The U.S. Court of Appeals for the D.C. Circuit has recognized a "private interest in preserving the confidentiality of information that is provided the Government on a voluntary basis."⁵ The Commission should extend such recognition to the enclosed materials.

EchoStar thus requests that the attachments be withheld from disclosure for an indefinite period of time. EchoStar further requests that the Commission not release the information contained in the attachments if its request for confidentiality is denied in whole or in part without first consulting with EchoStar. EchoStar requests that if its request for confidentiality is denied in whole or in part, the Commission return the attachments to EchoStar.

Please contact the undersigned if you have any questions regarding this filing.

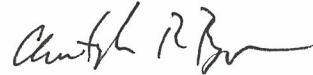
³ See 47 C.F.R. § 0.457(d); see also *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992) ("[W]e conclude that financial or commercial information provided to the Government on a voluntary basis is 'confidential' for purpose of Exemption 4 if it is of a kind that would customarily not be released to the public by the person from whom it was obtained.").

⁴ See *Critical Mass Energy Project*, 975 F.2d at 878 ("Where, however, the information is provided to the Government voluntarily, the presumption is that [the Government's] interest will be threatened by disclosure as the persons whose confidences have been betrayed will, in all likelihood, refuse further cooperation.").

⁵ *Id.* at 879.

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Page 3

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Bjornson".

Pantelis Michalopoulos
Christopher Bjornson
*Counsel for EchoStar Satellite Operating
Corporation*

Attachments

cc: Karl Kensinger – International Bureau

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July 6, 2011

Via IBFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: **EchoStar Satellite Operating Corporation, File Nos. SAT-STA-20110627-00122, SAT-AMD-20110706-_____, Call Sign S2621**

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation hereby submits for the public file a redacted version of the amendment¹ to its existing application for Special Temporary Authority to deorbit the EchoStar 4 satellite from its current orbital location at 76.85° W.L.,² along with redacted attachments providing information regarding the planned deorbiting. Unredacted versions are being submitted separately with a request for confidential treatment pursuant to 47 C.F.R. §§ 0.457 and 0.459.

Respectfully submitted,

/s/

Pantelis Michalopoulos
Christopher Bjornson
Counsel for EchoStar Satellite Operating Corporation

¹ See File No. SAT-AMD-20110706-_____ (filed July 6, 2011).

² See File No. SAT-STA-20110627-00122 (filed June 27, 2011).

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July 3, 2007
Page 2

cc: Karl Kensinger – International Bureau (via e-mail)