

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

)	
)	
In the Matter of)	
)	
ECHOSTAR SATELLITE OPERATING CORPORATION)	File No. SAT-STA-20110525-00097
)	File No. SAT-STA-2011_____
)	Call Sign S2741
Application to Renew Special Temporary Authority to Operate EchoStar 3 as an In-Orbit Spare at 61.45° W.L.)	
)	
)	
)	

APPLICATION TO RENEW SPECIAL TEMPORARY AUTHORITY

EchoStar Satellite Operating Corporation (“ESOC”) hereby requests renewal of its special temporary authority (“STA”) under Section 25.120(b) of the Commission’s rules¹ to operate the EchoStar 3 satellite at 61.45° W.L. as an in-orbit spare for an additional 180 days. The current STA expires on November 3, 2011.²

As the Commission is aware, on July 10, 2010, ESOC’s parent company, EchoStar Corporation (“EchoStar”), successfully launched EchoStar 15, a 32-transponder Direct Broadcast Satellite (“DBS”) that, in light of the loss of AMC-14,³ is effectively replacing EchoStar 3.⁴ EchoStar 15 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

¹ 47 C.F.R. § 25.120(b).
² See Stamp Grant, File No. SAT-STA-20110525-00097 (granted May 27, 2011).
³ See Letter from Pantelis Michalopoulos, Counsel for EchoStar Corporation, to Marlene H. Dortch, Secretary, FCC, File No. SAT-STA-20080923-00193 (Dec. 30, 2008).
⁴ See Stamp Grant, File No. SAT-LOA-20100310-00043 (granted July 1, 2010).

was moved to 61.45° W.L. EchoStar 3, along with EchoStar 12, will supplement service provided by EchoStar 15, as needed, to maintain regular programming. The continued operation of EchoStar 3 helps to ensure that ESOC's customer, DISH Network L.L.C., will be able to continue providing DBS service to consumers without any service interruptions.

On September 2, 2011, ESOC filed an application for STA to relocate EchoStar 3 to 68.5° W.L. and to operate the satellite at that orbital location,⁵ pending action on an application to transfer the licensing jurisdiction of the satellite from the United States to Gibraltar under authority held by SES Satellites (Gibraltar) Limited.⁶ Grant of ESOC's request to renew its STA to operate at 61.45° W.L. will allow EchoStar 3 to continue its operations as an in-orbit spare while its application to relocate 68.5° W.L. remains pending..

I. THIS REQUEST IS IN THE PUBLIC INTEREST AND WILL NOT CAUSE HARMFUL INTERFERENCE

For the same reason EchoStar was granted STA to operate EchoStar 3 as an in-orbit spare, so too is this request in the public interest. Grant of this application will ensure safe station-keeping margins for each of the satellites that are located at the nominal 61.5° W.L. orbital location. It also will not cause harmful interference, because EchoStar 3 has moved 0.05 degrees to the east, farther away from the nearest non-EchoStar DBS satellite, DIRECTV 1R,

⁵ See File No. SAT-STA-20110902-00170 (filed Sept. 2, 2011).

⁶ SES Gibraltar is authorized by the Gibraltar Regulatory Authority to utilize the DBS frequencies at 68.5° W.L. under a modification to the ITU Region 2 BSS and Feeder Link Plans submitted on behalf of Gibraltar by the United Kingdom. EchoStar's affiliate, EchoStar Broadcasting Corporation ("EBC"), also requested STA to permit its earth stations in Gilbert, AZ and Meade, SD to communicate with EchoStar 3 to perform telemetry, tracking and command to drift EchoStar 3 to 68.5° W.L. and maintain the satellite at that location. See File Nos. SES-STA-20110902-01026, SES-STA-20110902-01025 (filed Sept. 2 2011). EBC will submit applications to modify the earth station licenses to permit them to communicate with EchoStar 3 after its relocation.

which is operating at 72.5° W.L. Furthermore, while EchoStar 3 is operating at 61.45° W.L., it will continue to abide by the conditions set forth in EchoStar's grant.⁷

ESOC 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, ESOC may bring EchoStar 3 back into use. This will ensure that there is no interruption of DBS service to consumers.

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, ESOC hereby waives any claim to the use of any particular frequency or use 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, ESOC respectfully requests the grant of its application for renewal of its special temporary authority to operate EchoStar 3 at 61.45° W.L. as an in-orbit spare for an additional 180 days.

⁷ See Stamp Grant, File No. SAT-STA-20110225-00038 (granted Apr. 7, 2011).

Respectfully submitted,

/s/

Alison Minea
Corporate Counsel
EchoStar Satellite Operating Corporation
1110 Vermont Avenue, NW, Suite 750
Washington, D.C. 20005
(202) 293-0981

Pantelis Michalopoulos
L. Lisa Sandoval
Stephoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 429-3000
Counsel for EchoStar Satellite Operating Corporation

October 4, 2011