

S2740 SAT-STA-20120119-00007 IB2012000347  
DISH Operating L.L.C.  
EchoStar 7



File # SAT-STA-20120119-00007

Call Sign S2740 Grant Date 03/07/12

(or other identifier)

Term Dates period of  
From 03/05/12 To: 180 days

Approved by OMB  
3060-0678

Approved:

*Stephan J. Duall*  
Stephan J. Duall  
Chief, Satellite Policy Branch

Date & Time Filed: Jan 19 2012 6:40:27:356PM  
File Number: SAT-STA-20120119-00007  
Callsign:

FEDERAL COMMUNICATIONS COMMISSION  
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY  
FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:  
Renewal of Special Temporary Authority to Operate EchoStar 7 at 118.8 W.L.

1. Applicant

<b>Name:</b>	DISH Operating L.L.C.	<b>Phone Number:</b>	202-293-0981
<b>DBA Name:</b>		<b>Fax Number:</b>	
<b>Street:</b>	100 Inverness Terrace East	<b>E-Mail:</b>	
<b>City:</b>	Englewood	<b>State:</b>	CO
<b>Country:</b>	USA	<b>Zipcode:</b>	80112 -
<b>Attention:</b>	Alison Minea		

Attachment to Grant  
DISH Operating L.L.C.  
IBFS File No. SAT-STA-20120119-00007  
Call Sign S2740

The application of DISH Operating L.L.C. (DISH), IBFS File No. SAT-STA-20120119-00007 for special temporary authority to operate the EchoStar 7 space station (Call Sign S2740) at the 118.8° W.L. orbital location for a period of 180 days, commencing March 5, 2012 using its previously authorized Direct Broadcast Satellite (DBS) service channels 1-21 is GRANTED. This authorization is granted in accordance with the technical specifications set forth in the application, its initial authorization (IBFS File Nos. SAT-A/O-20010810-00073, SAT-MOD-20010810-00071),<sup>1</sup> the Commission's rules, and the following conditions:

1. While at the 118.8° W.L. orbital location, DISH shall maintain the EchoStar 7 spacecraft with an east/west longitudinal station-keeping tolerance of +/- 0.05 degrees.
2. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at DISH's own risk.
3. Grant of this authorization is without prejudice to any determination the Commission may make regarding permanent operations of the EchoStar 7 space station at the 118.8° W.L. orbital location in IBFS File Nos. SAT-MOD-20100329-00058 and SAT-AMD-20100610-00127.
4. DISH is afforded thirty days from the date of release of this action to decline the authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
5. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately.



File # SAT-STA-20120119-00007

Call Sign S2740 Grant Date 03/07/12  
(or other identifier)

Term Dates period of  
From 03/05/12 To: 180 days

Approved: Stephen J. Duall  
Stephen J. Duall  
Chief, Satellite Policy Branch

<sup>1</sup> Granted in EchoStar Satellite Corporation, *Order and Authorization*, 17 FCC Rcd 894 (Sat. & Rad. Div., Int'l Bur. 2002).

2. Contact

<b>Name:</b>	Pantelis Michalopoulos	<b>Phone Number:</b>	(202) 429-6494
<b>Company:</b>	Steptoe & Johnson LLP	<b>Fax Number:</b>	
<b>Street:</b>	1330 Connecticut Avenue, NW	<b>E-Mail:</b>	pmichalopoulos@steptoe.com
<b>City:</b>	Washington	<b>State:</b>	DC
<b>Country:</b>	USA	<b>Zipcode:</b>	20036 -
<b>Attention:</b>		<b>Relationship:</b>	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 SATSTA2011080400144 or Submission ID

4a. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).  
 Governmental Entity     Noncommercial educational licensee  
 Other (please explain):

4b. Fee Classification

5. Type Request

- Change Station Location                       Extend Expiration Date                       Other

6. Temporary Orbit Location  
118.8 W.L.

7. Requested Extended Expiration Date  
2012-08-31 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.)

DISH Operating L.L.C. seeks renewal of its Special Temporary Authority to operate the EchoStar 7 satellite at 118.8 W.L. 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).

**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

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

In the Matter of	)	Call Sign S2740
	)	
<b>DISH OPERATING L.L.C.</b>	)	File No. SAT-STA-20100219-00031
	)	File No. SAT-STA-20100824-00183
Request for Renewal of Special Temporary	)	File No. SAT-STA-20110204-00024
Authority to Operate EchoStar 7 at 118.8° W.L.	)	File No. SAT-STA-20110804-00144
	)	File No. SAT-STA-2011 ____ - ____
	)	

**REQUEST FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY**

By this application, DISH Operating L.L.C. (“DISH”) respectfully requests renewal of its Special Temporary Authority (“STA”) to operate the EchoStar 7 satellite at 118.8° W.L. within the 119° W.L. Direct Broadcast Satellite (“DBS”) orbital cluster<sup>1</sup> for an additional 180 days. The current authority expires on March 4, 2012.<sup>2</sup> DISH requested authority to move EchoStar 7 to, and operate the satellite at, 118.8° W.L. in order to accommodate the EchoStar 14 satellite. EchoStar 14 launched on May 27, 2010 and currently operates at the 118.9° W.L. orbital location. The satellite has increased the quality of service and the amount of programming available from the 119° W.L. cluster.<sup>3</sup> In order to accommodate EchoStar 14, and provide

---

<sup>1</sup> Specifically, EchoStar 7 will continue to be handled in a station keeping box of  $\pm 0.05^\circ$  center on 118.8° W.L. The 118.8° W.L. spot is allotted to the United States under the International Radio Regulations. As further explained in DISH’s Opposition to Petition to Dismiss or Deny, which is hereby incorporated by reference, DBS licensees have consistently been afforded significant flexibility to relocate their satellites within the DBS cluster. DISH Operating L.L.C., File No. SAT-MOD-20100329-00058, Opposition to Petition of Spectrum Five LLC to Dismiss or Deny, at 3-5 (filed May 27, 2010).

<sup>2</sup> See Stamp Grant, File No. SAT-STA-20110804-00144 (granted Sept. 21, 2011).

<sup>3</sup> See Letter from Petra A. Vorwig, Counsel for DISH Operating L.L.C., to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-LOA-20090518-00053, SAT-AMD-20090604-00064, SAT-MOD-20100212-00027 (June 3, 2010).

supplemental service to that satellite, DISH filed an application for minor modification requesting authority permanently move the EchoStar 7 satellite from 118.9° W.L. to 118.8° W.L.<sup>4</sup> Renewal of DISH's STA is necessary to allow it to continue operating EchoStar 7 while the modification application remains pending.

For the reasons set forth below, the continued operation of EchoStar 7 at 118.8° W.L. will not cause harmful interference to any authorized user of the spectrum, and would be in the public interest. Accordingly, the Commission should grant the requested renewal STA.

#### **I. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST**

The Commission has a long-standing policy of granting STA where such authorization will not cause harmful interference and will serve the public interest, convenience, and necessity.<sup>5</sup> The continued operation of EchoStar 7 at 118.8° W.L. will not cause harmful operational or physical interference to any other U.S.-licensed satellite operator, and will serve the public interest.

DISH notes that the 118.8° W.L. slot is allotted to the United States under the International Radio Regulations; it is the eastern boundary of the 119° W.L. cluster. The closest operational BSS satellite to EchoStar 7's proposed location (except other DISH satellites) is DIRECTV 7S, which is operating at 119.05° W.L. Because EchoStar 7 is now operating farther away from this satellite, its continued operation at 118.8° W.L. will not cause any additional interference to DIRECTV 7S. Indeed, if anything, it will decrease the risk of interference. DISH

---

<sup>4</sup> See File No. SAT-MOD-20100329-00058 (filed Mar. 29, 2010); *see also* File No. SAT-MOD-20100329-00058 (filed June 10, 2010) (amending modification application to include an orbital debris mitigation plan).

<sup>5</sup> See *e.g.*, *Newcomb Communs., Inc.*, 8 FCC Rcd. 3631, 3633 (1993); *Columbia Comms. Corp.*, 11 FCC Rcd. 8639, 8640 (1996); *Am. Tel. & Tel. Co.*, 8 FCC Rcd. 8742 (1993).

has a long history of coordinating with DIRECTV at the nominal 119° W.L. orbital slot, and believes that, to the extent coordination is required, it will be achieved.

For the same reason, the continued operation does not create any additional risk of physical collision. As DISH demonstrated in the orbital debris mitigation plan that it submitted in its amendment responding to a request from the Bureau, the satellite has been manufactured to minimize the risk of becoming a source of debris in the event of a collision.<sup>6</sup> DISH has also indicated that it will be able to physically coordinate with Spectrum Five LLC in the event its pending application for a 17/24 GHz Broadcasting-Satellite Service satellite is granted and the satellite is launched.<sup>7</sup> As for the physical proximity of the satellite to Anik F3, which is located at 118.7° W.L., DISH will continue to coordinate the stationkeeping of EchoStar 7 with Anik F3's operator, Telesat Canada. DISH has engaged in coordination with Telesat in the past (indeed it uses the Anik F3 Ku-band payload), and anticipates that coordination will continue to be achieved in this case. The public interest is served since EchoStar 7's continued operations at 118.8° W.L. will better accommodate EchoStar 14 at 118.9° W.L. In addition, renewal of the STA will avoid disruption to consumers now receiving service from the satellite. DISH accordingly seeks authority to maintain EchoStar 7 at the 118.8° W.L. orbital location subject to the conditions set forth in the grant.<sup>8</sup>

---

<sup>6</sup> Amendment Application, Attachment A.

<sup>7</sup> *Id.* at 4.

<sup>8</sup> See Stamp Grant, File No. SAT-STA-20110804-00144 (granted Sept. 21, 2011).



## II. SECTION 304 WAIVER

In accordance with Section 304 of the Communications Act of 1934, 47 U.S.C. § 304, DISH hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum because of the previous use of the same, whether by license or otherwise.

## III. CONCLUSION

For the foregoing reasons, DISH respectfully requests renewal of its special temporary authority to operate EchoStar 7 at 118.8° W.L.

Respectfully submitted,

\_\_\_\_\_  
/s/

Pantelis Michalopoulos  
Stephanie A. Roy  
**STEPTOE & JOHNSON LLP**  
1330 Connecticut Avenue, NW  
Washington, D.C. 20036  
(202) 429-3000  
*Counsel for DISH Operating L.L.C.*

Alison Minea  
Corporate Counsel  
**DISH Operating L.L.C.**  
1110 Vermont Avenue, NW, Suite 750  
Washington, D.C. 20005  
(202) 293-0981

January 19, 2012