

S2232 SAT-STA-20120403-00064 IB2012000959
EchoStar Satellite Operating Corporation
EchoStar 6



File # SAT-STA-20120403-00064

Call Sign S2232 Grant Date 04/18/12
(or other identifier)

From 04/07/12 Term Dates period of 60 days
To:

Approved by OMB
3060-0678

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

Date & Time Filed: Apr 3 2012 6:12:44:163PM
File Number: SAT-STA-20120403-00064
Callsign:

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-20120403-00064
Call Sign: S2232

EchoStar Satellite Operating Corporation is granted Special Temporary Authority to continue to operate the EchoStar 6 space station (Call Sign S2232) at the 76.95° W.L. orbital location for a period of 60 days commencing on April 7, 2012. Operations pursuant to this authorization shall be in accordance with conditions imposed as part of EchoStar's initial authorization to operate EchoStar 6 at this orbital location, granted on February 11, 2011. See IBFS File No. SAT-STA-20110207-00026.

 GRANTED* International Bureau *with conditions	File # <u>SAT-STA-20120403-00064</u>
	Call Sign <u>S2232</u> Grant Date <u>04/18/12</u> (or other identifier)
	Term Dates period of From <u>04/07/12</u> To: <u>60 days</u>
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

2. Contact	
Name: Pantelis Michalopoulos	Phone Number: 202-429-6494
Company: Steptoe & Johnson LLP	Fax Number:
Street: 1330 Connecticut Avenue, NW	E-Mail: pmichalopoulos@steptoe.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 SATSTA2012011900008 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 W.L.	7. Requested Extended Expiration Date 2012-06-05 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 Satellite Operating Corporation requests renewal of its Special Temporary Authority to operate the EchoStar 6 satellite at 76.95 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).

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

_____)	
In the Matter of)	
ECHOSTAR SATELLITE OPERATING)	Call Sign S2232
CORPORATION)	File No. SAT-STA-20120119-00008
Application to Renew Special Temporary)	File No. SAT-STA-2012_____
Authority to Operate EchoStar 6 at 76.95° W.L.)	
_____)	

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 April 6, 2012.²

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-20120119-00008 (granted Jan. 26, 2012). 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, 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 As ESOC notified the Commission, ESOC has been operating EchoStar 6 at 76.95° W.L. at an inclined orbit beginning since December 12, 2011.⁶ EchoStar 6 will continue to provide the same local-into-local and Spanish-language programming service during inclined operations as it has since arriving at 76.95° W.L.

ESOC's current STA renewal request is necessary to allow it to continue operating EchoStar 6 while the modification 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.⁷

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 two Direct

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, 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 Letter from Pantelis Michalopoulos, Counsel for EchoStar Corporation, to Marlene H. Dortch, Secretary, FCC, File No. SAT-STA-20111004-00194 (Dec. 2, 2011).

⁷ See Letter from Ricardo Ríos Ferrer, Legal Representative, QuetzSat, S. de R.L. de C.V., to EchoStar Satellite Services LLC, File No. SAT-STA-20110207-00026, Attachment 2 (Feb. 4, 2011).

Broadcast Satellite (“DBS”) service satellites at the nominal 77° W.L. orbital location under Mexican authority issued to its partner, QuetzSat: EchoStar 1 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, respectively. The U.S. service includes local-into-local and Spanish-language 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 experiences a problem. EchoStar 1, a satellite launched in December 1995, has limited capability (only up to 16 transponders), but 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 and Spanish-language 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. Additionally, operating EchoStar 6 at an inclined orbit will extend the time that the satellite is able to provide services to customers.

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. ESOC will also abide by the conditions imposed on the original grant,⁸ and the Commission's requirements for inclined orbit operations.⁹

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.

⁸ See Stamp Grant, File No. SAT-STA-20110207-00026 (granted Feb. 11, 2011).

⁹ See 47 C.F.R. § 25.280(b). These requirements are intended to ensure that a satellite's inclined orbit operations cause no more radio frequency interference to adjacent satellites than would a satellite operating without an inclined orbit. See *Mitigation of Orbital Debris, Second Report and Order*, 19 FCC Rcd. 11567, 11586-87 ¶ 45 n. 129 (2004).

