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

In the Matter of	)	
ECHOSTAR SATELLITE OPERATING CORPORATION	)	File No. SAT-STA-20120403-00064
	)	File No. SAT-STA-2012_____
	)	Call Sign S2232
Application to Renew Special Temporary 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 76.95º W.L. orbital location. The current STA expires on June 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-20120403-00064 (granted Apr. 18, 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 76.95º 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 76.95º 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 77º W.L. cluster.[7]

I. BACKGROUND

The nominal 77º 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 76.95º 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 72.5º W.L. and 82º 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 76.95º W.L. will not create any risk of in-orbit collision. EchoStar 6 will be maintained within +/- 0.05º east/west station-keeping, which will ensure that its station-keeping volume will not overlap with ESOC's own satellites at 77º 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.

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[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).

Respectfully submitted,

/s/

Pantelis Michalopoulos
Stephanie A. Roy
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 429-3000
Counsel for EchoStar Satellite Operating Corporation

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

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