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

In the Matter of	)	
ECHOSTAR SATELLITE OPERATING CORPORATION	)	File No. SAT-STA-20120119-00007
	)	File No. SAT-STA-_____
	)	Call Sign S2740
Applications for Special Temporary Authority to Operate EchoStar 7 at 118.8º W.L.	)	

APPLICATION 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[1] for an additional 180 days. The current authority expires on September 1, 2012.[2] 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 118.9º W.L. orbital location. The satellite has increased the quality of service and the amount of programming

[1] Specifically, EchoStar 7 will continue to be handled in a station keeping box of ± 0.05° 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).

[2] *See* Stamp Grant, File No. SAT-STA-20120119-00007 (granted Mar. 7, 2012).

available from the 119° W.L. cluster.[3] In order to accommodate EchoStar 14, and provide supplemental service to that satellite, DISH filed an application for minor modification requesting authority permanently move the EchoStar 7 satellite from 118.9º W.L. to 118.8° W.L.[4] 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.[5] 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

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[3] *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).

[4] *See* File No. SAT-MOD-20100329-00058 (filed Mar. 29, 2010); *see also* File No. SAT-AMD-20100610-00127 (filed June 10, 2010) (amending modification application to include an orbital debris mitigation plan).

[5] *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).

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 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.[6] 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.[7] 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.[8]

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[6] Amendment Application, Attachment A.

[7] *Id.* at 4.

[8] *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/

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