

S2232 SAT-STA-20121203-00207
EchoStar Satellite Operating Corporation
EchoStar 6 IB2012002761



File # SAT-STA-20121203-00207
Call Sign S2232 Grant Date 01/17/13
(or other identifier)
Term Dates period of
From 01/17/13 To: 180 days
Approved: Stephen J. Duall

Approved by OMB
3060-0678

Date & Time Filed: Dec 3 2012 5:20:58:716PM
File Number: SAT-STA-20121203-00207
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:
Application for Special Temporary Authority to Operate EchoStar 6 at 76.80 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		

EchoStar Satellite Operating Corporation
IBFS File No. SAT-STA-20121203-00207
Call Sign S2232

The application of EchoStar Satellite Operating Corporation (EchoStar) for special temporary authority, IBFS File No. SAT-STA-20121203-00207, is granted. Accordingly, EchoStar is authorized, for a period of 180 days, to operate the EchoStar 6 Direct Broadcast Satellite (DBS) service space station (Call Sign S2232) at the 76.80° W.L. orbital location on DBS channels 1-32 with feeder links in the 17.3-17.8 GHz (Earth-to-space) frequency band and service links in the 12.2-12.7 GHz (space-to-Earth) frequency band. EchoStar is also authorized to conduct tracking, telemetry and command (TT&C) operations using the following center frequencies: 17.3050 GHz (Earth-to-space); and 12.2030 GHz, 12.2040 GHz (space-to-Earth). Operations under this authorization are subject to the terms, conditions, and technical specifications set forth in EchoStar's application and the Federal Communications Commission's rules, and are subject to the conditions set forth below.

1. All operations under this grant of special temporary authority must be on an unprotected and non-harmful interference basis. EchoStar must not cause harmful interference to, and must not claim protection from interference caused to it by, any other lawfully operating radio communication system.
2. In the event of any harmful interference as a result of operations under this grant of special temporary authority, EchoStar must cease operations immediately upon notification of such interference and must immediately inform the Commission, in writing, of such an event.
3. EchoStar must coordinate operations of EchoStar 6 with existing geostationary space stations to ensure that no unacceptable interference results from its operations at the 76.80° W.L. orbital location.
4. While at the 76.80° W.L. orbital location, EchoStar must maintain the EchoStar 6 space station with an east/west longitudinal station-keeping tolerance of ± 0.05 degrees.
5. EchoStar must comply with the applicable laws, regulations, rules and authorization process of any country in which it seeks to provide service.
6. Any action taken or expense incurred as a result of operations pursuant to this grant of special temporary authority is at EchoStar's own risk.
7. EchoStar is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
8. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.

 GRANTED * International Bureau *with conditions	File # <u>SAT-STA-20121203-00207</u>
	Call Sign <u>S2232</u> Grant Date <u>01/17/13</u> (or other identifier)
	Term Dates From <u>01/17/13</u> To: <u>180 days</u> Period of
	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 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
76.80 W.L.

7. Requested Extended Expiration Date

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 Special Temporary Authority to operate the EchoStar 6 satellite at 76.80 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**

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In the Matter of)	
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ECHOSTAR SATELLITE OPERATING CORPORATION)	File No. SAT-STA-2012_____
)	File No. SAT-STA-2012_____
)	Call Sign S2232
Applications for Special Temporary Authority to Move EchoStar 6 to, and Operate It at, 76.80° W.L.)	
)	
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APPLICATIONS FOR SPECIAL TEMPORARY AUTHORITY¹

EchoStar Satellite Operating Corporation (“ESOC,” and collectively with its affiliates, “EchoStar”) hereby requests 30-day special temporary authority (“STA”) under Section 25.120(b) of the Commission’s rules² beginning on or about December 11, 2012: (a) to move the EchoStar 6 satellite from its current orbital position at 76.95° W.L. to the 76.80° W.L. orbital position; and (b) to operate the satellite at 76.80° W.L. EchoStar further requests a 180-day STA to operate EchoStar 6 at 76.80° W.L. once the satellite has been relocated. This request is being made to accommodate the move of QuetzSat-1 to 77.05° W.L.

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

¹ Concurrent with this application, EchoStar is filing applications for STA to operate three of its transmit/receive earth stations with EchoStar 6 to provide the necessary telemetry, tracking, and control (“TT&C”) services to EchoStar 6 during its relocation to 76.80° W.L. and once relocation is complete.

² 47 C.F.R. § 25.120(b).

Radio Regulations. In addition to the EchoStar 6 satellite, ESOC currently operates two Direct Broadcast Satellite (“DBS”) service satellites at the nominal 77° W.L. orbital location under Mexican authority issued to its partner, QuetzSat, S. de R.L. de C.V. (“QuetzSat”): EchoStar 1 and EchoStar 8. EchoStar 8 is used by EchoStar’s customers, DISH Network L.L.C. and DISH Mexico, to provide DBS service in the United States and Mexico, and EchoStar 6 and EchoStar 1 provide backup to the United States and Mexico services, respectively. The U.S. service includes local-into-local and Spanish-language programming in a number of markets in the southern United States.

Since February 2011, EchoStar 6 has been operating at 76.95° W.L., alongside EchoStar 1 and EchoStar 8, providing sufficient capacity to avoid service disruptions from that slot in the event of an anomaly affecting one of those satellites. ESOC has been operating EchoStar 6 at an inclined orbit since December 12, 2011.³ The relocation of EchoStar 6 to 76.95° W.L. was prompted by a single event upset that temporarily affected the EchoStar 8 satellite.⁴ ESOC subsequently filed an application to transfer EchoStar 6 to QuetzSat to facilitate operation of the satellite under Mexican authority,⁵ as well as an application to modify its blanket earth station authorization to provide service to the United States once EchoStar 6 was reflagged.⁶

³ Letter from Pantelis Michalopoulos, Counsel for EchoStar Corporation, to Marlene H. Dortch, Secretary, FCC, File No. SAT-STA-20111004-00194 (Dec. 2, 2011).

⁴ 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).

⁵ 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).

⁶ See File No. SES-MFS-20110314-00288 (filed Mar. 14, 2011).

After consultation with the Commission, and given EchoStar 6's limited remaining life,⁷ ESOC no longer believes the transfer of EchoStar 6 to Mexican authority is necessary and has accordingly withdrawn that application.⁸

EchoStar plans to direct the move of the QuetzSat-1 satellite to 77.05° W.L. beginning in December 2012. In anticipation of this move, EchoStar seeks to move EchoStar 6 from 76.95° W.L. to 76.80° W.L. and to move EchoStar 8 from 77.05° W.L. to 76.90° W.L. ESOC understands that the Mexican concessionaire for the 77° W.L. orbital location has informed the Mexican regulator, Comisión Federal de Telecomunicaciones, of its plans to operate EchoStar 6 at this location under STA and that it has no objection.

For the reasons set forth below, the relocation of EchoStar 6 to 76.80° 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 STAs.

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

Grant of this application is in the public interest because it will ensure the continued 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 that the subscribers of EchoStar's customers will continue to receive both national and local programming, by providing spare capacity at 77° W.L. in the event that EchoStar 8 suffers an anomaly.

⁷ See Letter from Pantelis Michalopoulos and Christopher Bjornson, Counsel for EchoStar Corporation, to Stephen Duall, International Bureau, FCC, File No. SAT-MOD-20100720-00164 (Sept. 27, 2010).

⁸ Letter from Pantelis Michalopoulos, Counsel for EchoStar Satellite Operating Corporation, to Marlene H. Dortch, Secretary, FCC, File Nos. SAT-T/C-20110314-00054; SAT-STA-20120914-00150 (Sept. 26, 2012).

Additionally, operating EchoStar 6 at an inclined orbit extends the time that the satellite is able to provide services to customers.

The continued operation of EchoStar 6 at 76.80° W.L. will not cause harmful interference to any other U.S.-licensed satellite operator. No U.S.-assigned DBS orbital locations are in the vicinity of 77° W.L. (the closest U.S. orbital location is 61.5° W.L., an orbital location in which only ESOC operates DBS satellites). Likewise no harmful interference will result from the operation of an additional satellite at 76.80° 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 82° W.L. and 72.5° W.L. orbital locations. ESOC will operate EchoStar 6 according to the specifications of this coordination agreement. ESOC will also abide by the Commission's requirements for inclined-orbit operations.⁹

Finally, the operation of the EchoStar 6 satellite at 76.80° W.L. will not create any risk of in-orbit collision. ESOC will maintain EchoStar 6 within $\pm 0.05^\circ$ 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. OPERATIONAL PARAMETERS

During relocation maneuvers and maintenance of EchoStar 6 at the 76.80° W.L. orbital location, EchoStar will operate the satellite subject to the following conditions:

1. EchoStar shall coordinate all drift operations with other potentially affected in-orbit operators.

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).

