

S2653 SAT-STA-20160902-00086 IB2016001986
EchoStar Satellite Operating Corporation
EchoStar 12



File # SAT-STA-20160902-00086
Call Sign S2653 Grant Date 09/22/16
(or other identifier)
Term Dates period of
From 09/13/16 To: 30 days
Approved: Stephen J. Duall

Approved by OMB
3060-0678

Date & Time Filed: Sep 2 2016 11:44:47:223AM
File Number: SAT-STA-20160902-00086
Callsign:

*with conditions

Stephen J. Duall
Chief, Satellite Policy Branch

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 STA for EchoStar 12 at 61.2WL


1. Applicant

Name:	EchoStar Satellite Operating Corporation	Phone Number:	301-428-5893
DBA Name:		Fax Number:	
Street:	100 Inverness Terrace East	E-Mail:	jennifer.manner@echostar.com
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:	Jennifer A Manner		

ATTACHMENT TO GRANT
EchoStar Satellite Operating Corporation
IBFS File No. SAT-LOA-20160902-00086

IBFS File No(s):	SAT-STA-20160902-00086	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	EchoStar Satellite Operating Corporation	
Call Sign:	S2653	
Satellite Name:	EchoStar 12	
Orbital Location: (required station-keeping tolerance)	61.2° W.L. (+/- 0.05 degrees east/west)	
Administration:	United States of America	
Nature of Service:	Direct Broadcast Service	
Scope of Grant:	Special Temporary Authority for a period of 30 days to conduct telemetry, tracking, and command (TT&C) operations necessary maintain EchoStar 12 as an in-orbit spare at the 61.2° W.L. orbital location.	
Service Area(s):	N/A	
Frequencies:	12.2-12.7 GHz (space-to-Earth) 17.3-17.8 GHz (Earth-to-space) 12.205 GHz, 12.697 GHz (space-to-Earth) 17.304 GHz (Earth-to-space)	
<p>Operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with the Federal Communication Commission’s rules not waived herein. This grant is also subject to the following conditions:</p> <ol style="list-style-type: none"> 1. All operations under this grant of special temporary authority are subject to the same conditions as the current authorizations for EchoStar 12, IBFS File Nos. SAT-MOD-20130905-0013 (granted Feb. 27, 2014), SAT-STA-20160805-00078-00078 (granted Aug. 12, 2016), and SAT-STA-20160725-00072 (granted Sept. 9, 2016). However, EchoStar 12’s operations under this grant of special temporary authority are limited to TT&C and must not include the provision of the commercial services. 2. 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. In the event of any harmful interference as a result of operations under this grant of special temporary authority, EchoStar must immediately take steps to eliminate such interference and must immediately inform the Commission, in writing, of such an event. 3. EchoStar must maintain the EchoStar 12 space station within an east/west longitudinal station-keeping tolerance of ± 0.05 degrees of the 61.2° E.L. orbital location. 		
<p>Licensee/grantee is afforded thirty (30) days from the date of release of this action to decline the grant as conditioned. Failure to respond within this period will constitute formal acceptance of the grant as conditioned.</p> <p>This action is taken pursuant to Section 0.261 of the Commission’s rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.</p> <p>Station licenses are subject to the conditions specified in Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(h).</p>		

ATTACHMENT TO GRANT
EchoStar Satellite Operating Corporation
IBFS File No. SAT-LOA-20160902-00086

Action Date:	September 22, 2016	
Term Dates	From: September 13, 2016	To: Period of 30 days
Approved:	 Stephen J. Duall Chief, Satellite Policy Branch	

2. Contact	
Name: Jennifer A. Manner	Phone Number: 301-428-5893
Company: EchoStar Satellite Operating Corporation	Fax Number:
Street: 11717 Exploration Lane	E-Mail: jennifer.manner@echostar.com
City: Germantown	State: MD
Country: USA	Zipcode: 20876 -
Attention:	Relationship: Same
(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 SATSTA2016080500078 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	7. Requested Extended Expiration Date 2016-10-11 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.)

Seeking renewal of special temporary authority for a fleet management relocation of the EchoStar 12 satellite from 61.35WL to 61.2WL. See Exhibit 1.

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
Jennifer A. Manner

11. Title of Person Signing
Senior Vice President, Regulatory Affairs

12. Please supply any need attachments.

Attachment 1: Exhibit 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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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.

EXHIBIT 1

REQUEST FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY

Pursuant to 47 C.F.R. § 25.120(b), EchoStar Satellite Operating Corporation (together with its affiliates, “EchoStar”) requests a 30-day renewal of its special temporary authority (“STA”) to continue operating the EchoStar 12 satellite (Call Sign S2653) as an in-orbit spare at the 61.2° W.L. orbital location for fleet management purposes.¹

EchoStar is authorized on a regular basis to operate EchoStar 12 at 61.35° W.L. on Direct Broadcast Satellite channels 3 through 32,² and on channels 1-2 under STA.³ Under separate STA, EchoStar relocated EchoStar 12 to 61.2° W.L. for fleet management purposes – specifically, to accommodate the arrival of the EchoStar 18 satellite at 61.35° W.L.⁴

EchoStar 12’s operations at 61.2° W.L. will not cause harmful interference to other authorized co-frequency DBS/broadcasting satellite service (“BSS”) operations. The nearest co-frequency satellites are EchoStar 15 and EchoStar 16 (as well as planned EchoStar 18) at the 61.5° W.L. orbital cluster and Nimiq 5 at 72.7° W.L., which are being utilized by EchoStar for provision of DBS/BSS. In the unlikely event of harmful interference, EchoStar is prepared to take appropriate measures to eliminate the interference, including immediately terminating communications upon receiving notice of such interference.

Grant of the requested STA renewal will serve the public interest by allowing EchoStar the flexibility to manage its satellite fleet efficiently and ensure that sufficient capacity is

¹ EchoStar, Application for STA, IBFS File No. SAT-STA-20160805-00078 (granted Aug. 12, 2016).

² See EchoStar, IBFS File No. SAT-MOD-2030905-00113 (granted Feb. 27, 2014).

³ See EchoStar, IBFS File No. SAT-STA-20160114-00003 (granted Feb. 24, 2016); EchoStar, IBFS File No. SAT-STA-20160725-00072 (filed July 25, 2016).

⁴ See DISH Operating L.L.C., IBFS File No. SAT-STA-20160725-00075 (granted Aug. 3, 2016).

available for service to consumers from the nominal 61.5° W.L. orbital location.⁵ Moreover, the Commission recently expanded the fleet management notification procedures under Section 25.118(e) of its rules to permit the relocation of a satellite to a position within 0.15° of an orbital location assigned to the same licensee, without obtaining prior FCC authorization.⁶ Concurrently with this STA renewal filing and pursuant to revised Section 25.118(e), EchoStar also is filing a 30-day advance notification to obtain regular modification authority for operations at 61.2° W.L. Until the 30-day advance notification becomes effective, grant of this STA renewal request will serve the public interest, as demonstrated herein.

⁵ The Commission has a longstanding policy of leaving fleet management decisions to satellite operators because doing so generally serves the public interest. *See SES Americom, Inc.*, Order and Authorization, 21 FCC Rcd. 3430, 3433 ¶ 8 (2006) (FCC “generally has allowed satellite operators to rearrange satellites in their fleet to reflect business and customer considerations where no public interest factors are adversely affected”); *AMSC Subsidiary Corporation*, Order and Authorization, 13 FCC Rcd 12316, 12318 ¶ 8 (IB 1998) (satellite operator “is in a better position to determine how to tailor its system to meet the particular needs of its customers”).

⁶ *See Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Second Report and Order, 30 FCC Rcd 14713, ¶¶ 295-96 (2015).