

S2653 SAT-STA-20170802-00114 IB2017002116
EchoStar Satellite Operating Corporation
EchoStar 16



File # SAT-STA-20170802-00114
Call Sign S2844 Grant Date 09/13/17
(or other identifier)
Term Dates period of
From 08/08/17 To: 180 days
Approved: *Stephen J. Dvall*
Stephen J. Dvall
Chief, Satellite Policy Branch

Approved by OMB
3060-0678

Date & Time Filed: Aug 2 2017 3:12:06:996PM
File Number: SAT-STA-20170802-00114
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:
August 2017 STA Renewal for EchoStar 16 (Call Sign S2844) on Channels 1 & 2 at 61.5 W.L. Cluster

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 Corporation
 IBFS File No. SAT-STA-20170802-00114

IBFS File No(s):	SAT-STA-20170802-00114	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
Licensee/Grantee:	EchoStar Satellite Operating Corporation (EchoStar)	
Call Sign:	S2844	
Satellite Name:	EchoStar 16	
Orbital Location: (required station-keeping tolerance)	61.5° W.L. (+/- 0.05 degrees east-west station keeping)	
Administration:	United States of America	
Nature of Service:	Direct Broadcast Service (DBS)	
Scope of Grant:	Special Temporary Authority for a period of 180 days to provide DBS over channels 1 and 2.	
Service Area(s):	<i>See condition</i>	
Frequencies:	12.2-12.7 GHz (space-to-Earth)	
<p>Unless otherwise specified herein, operations under this grant must comport with the legal and technical specifications set forth by the applicant or petitioner and with 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. Operations pursuant to this authority shall be in accordance with the conditions imposed in our June 2012 order. <i>See</i> EchoStar Satellite Operating Corporation Applications for Special Temporary Authority to Operate Direct Broadcast Satellite Service Space Stations EchoStar 3, EchoStar 12, EchoStar 15, and EchoStar 16 on Channels 1 and 2 at the 61.5.° W.L. Orbital Location, <i>Order and Authorization</i>, 27 FCC Rcd 7138, 7141-42, ¶ 11 (Int'l Bur. Sat. Div. 2012). 		
<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>		
Action Date:	September 13, 2017	
Term Dates	From: August 8, 2017	To: Period of 180 days
<p>Approved:</p> <div style="text-align: center;">  Stephen J. Duall Chief, Satellite Policy Branch </div>		

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 or Submission ID IB2017000292	
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 2018-02-07 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 to operate satellite on channels 1 and 2 at the 61.5 W.L. orbital cluster. See attached 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: 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).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

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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

APPLICATION FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY

Pursuant to 47 C.F.R. § 25.120(b)(2), EchoStar Satellite Operating Corporation (together with its affiliates, “EchoStar”) hereby requests a 180-day renewal of its special temporary authority (“STA”), currently expiring on August 7, 2017,¹ to operate the EchoStar 12 (Call Sign 2653) and EchoStar 16 (Call Sign S2844) satellites on channels 1 and 2 at the nominal 61.5° W.L. orbital location.

I. INTRODUCTION AND BACKGROUND

EchoStar currently operates the EchoStar 12 and EchoStar 16 satellites within the 61.5° W.L. orbital cluster. EchoStar 12, launched in 2003, currently operates as an in-orbit spare at 61.2° W.L., pursuant to notification under 47 C.F.R. § 25.118(e).² EchoStar 16, which became operational in February 2013,³ ensures the continued full utilization of the DBS spectrum at that orbital location.

On June 22, 2012, the Commission granted EchoStar’s applications to modify the authorized channels on these space stations from the nominal 61.5° W.L. orbital location from Direct Broadcast Satellite (“DBS”) service channels 1-22 and 25-32 to DBS channels 3-32, and for 180-day STAs to operate on channels 1 and 2 upon receipt of notification that EchoStar 16

¹ See Stamp Grants, File Nos. SAT-STA-20170206-00013 (granted Mar. 16, 2017); SAT-STA-20170206-00014 (granted Mar. 16, 2017).

² See Letter from Jennifer L. Larson, EchoStar, to Marlene H. Dortch, Secretary, FCC, IBFS File No. SAT-MOD-20130905-00113 (Sept. 2, 2016). EchoStar has a pending modification application to move and operate EchoStar 12 to 86.4° W.L. See EchoStar, File No. SAT-MOD-20170626-00099 (June 26, 2017).

³ Letter from Jaime Londono, Vice President, Advanced Programs & Spectrum Management, EchoStar Technologies LLC, to Fern Jarmulnek, Acting Chief, Satellite Division, International Bureau, FCC (Feb. 19, 2013) (“EchoStar 16 Letter”), filed in File No. SAT-LOA-20110902-00172, Call Sign S2844 (stating that EchoStar 16 became operational at 61.5° W.L. on February 14, 2013).

had commenced operations.⁴ EchoStar filed this notification on February 19, 2013.⁵ Since August 2013, the Commission consistently has renewed EchoStar's STAs to operate EchoStar 12 and 16 on channels 1 and 2.

II. THIS REQUEST IS IN THE PUBLIC INTEREST, IS CONSISTENT WITH PAST PRECEDENT, AND WILL NOT CAUSE HARMFUL INTERFERENCE

Grant of the requested 180-day STA renewal is in the public interest for the reasons set forth in the original STA grant, which is incorporated herein by reference.⁶ EchoStar will continue to comply with the conditions on the use of the channels set forth in the original grant as follows:⁷

1. EchoStar's use of channels 1 and 2 shall cause no harmful interference to any other lawfully operating radio station, and EchoStar shall cease operation on these channels immediately upon notification of such interference.
2. EchoStar shall not claim protection from interference from any other lawfully operating radio station with respect to its operations on channels 1 and 2.
3. EchoStar has informed its customers in writing that services using channels 1 and 2 from the 61.5° W.L. cluster will be discontinued upon the termination of its temporary authority to operate on these channels.
4. EchoStar will continue to provide the required terms set forth in the original grant in its monthly billing statements and marketing notifications.
5. EchoStar will continue to use channels 1 and 2 at the nominal 61.5° W.L. orbital location only for free-standing, separate programming packages that are not required as a condition of purchasing any other programming packages and that are readily capable of being withdrawn on short notice.
6. EchoStar will cease operations on channels 1 and 2 at the 61.5° W.L. orbital location upon the launch and operation of a satellite regularly licensed to operate on these channels at this location.

⁴ *EchoStar Satellite Operating Corp.*, Order and Authorization, 27 FCC Rcd 7138, 7141-42 ¶¶ 10-11 (IB 2012) ("2012 EchoStar Order").

⁵ See EchoStar 16 Letter.

⁶ See 2012 EchoStar Order.

⁷ See *id.* ¶ 11.

III. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests renewal of its STA to operate EchoStar 12 and 16 on channels 1 and 2 at the nominal 61.5° W.L. orbital location.