

## EXHIBIT 1

### APPLICATION FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY

EchoStar Satellite Operating Corporation ("ESOC"), pursuant to Section 25.120 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. § 25.120(b)(2), hereby respectfully requests a 30-day renewal of its special temporary authority ("STA"), currently expiring on August 27, 2017,<sup>1</sup> to waive the stationkeeping tolerance requirements of Section 25.210(j), 47 C.F.R. § 25.210(j), to permit continued safe flight of the EchoStar 3 ("E3", Call Sign S2741) satellite outside of its assigned stationkeeping volume at 61.8° W.L. +/- 0.05 degrees, and 86.4 ° W.L. +/- 0.05 pursuant to its current temporary authorization.

#### I. INTRODUCTION AND BACKGROUND

E3 is a broadcast satellite service satellite (ITU Appendix 30A) that is licensed to operate pursuant to Commission authority under a STA at 61.8° W.L.<sup>2</sup> E3 is currently authorized under STA to move E3 from 61.8° W.L. +/- 0.05 degrees to 86.85° W.L.<sup>3</sup> During its move, E3 experienced an anomaly of unknown origin, to which ESOC informed personnel in the Commission's Satellite Division on July 28, 2017. While the satellite is responding to commands, ESOC is carefully bringing the spacecraft back to life after a full shut-down was experienced from a lack of power in the hours following the initial anomaly. At this point, ESOC is currently unable to maintain the satellite in its assigned stationkeeping volume due to the lack of control authority, but is actively working to regain that ability. On July 28, 2017, the Commission granted ESOC's application for an STA to maintain the safe flight of E3.

ESOC seeks a renewal of its STA to continue satellite flight of E3. Based on the available evidence, ESOC has a very high level of confidence that the satellite's communications payloads are off. ESOC, in conjunction with Lockheed Martin, has been able to send intermittent commands to the spacecraft in order to begin recovery efforts and to deorbit the satellite.

#### II. THIS REQUEST IS IN THE PUBLIC INTEREST AND IS CONSISTENT WITH COMMISSION POLICY

Granting the STA and the associated waiver will serve the public interest and is consistent with Commission policy:

The Commission may waive a rule for good cause shown. Waiver is appropriate if special circumstances warrant a deviation from the general rule and such deviation would better serve the public interest than would strict adherence to the general rule. Generally, the Commission may grant a waiver of its rules in a particular case if the relief requested would not undermine the policy objective of the rule in question and would otherwise serve the public interest.<sup>4</sup>

---

<sup>1</sup> See ESOC, Stamp Grant, File No. SAT-STA-20170728-00112 ("E3 STA").

<sup>2</sup> See ESOC, Stamp Grant, IBFS File No. SAT-STA-20161207-00126 (Jan. 26, 2017); see also ESOC, Stamp Grant, IBFS File No. SAT-STA-20140106-00003 (Jan. 26, 2014).

<sup>3</sup> See ESOC, Stamp Grant, IBFS File No. SAT-STA-20170206-00012 (Mar. 16, 2017).

<sup>4</sup> *PanAmSat Licensee Corp.*, 17FCC Red 10483, 10492 (Sat. Div. 2002) (footnotes omitted).

The Commission may also take into account considerations of hardship and equity when evaluating a waiver request.<sup>5</sup>

These considerations justify a continuing waiver of the Commission's stationkeeping tolerance requirements in this instance. Due to the technical anomaly affecting the E3 satellite, the spacecraft is not physically capable of being able to remain within its assigned stationkeeping volume until additional recovery operation steps take place first. As a result, ESOC is unable to conform to the requirements of Section 25.210(j). Waiving the rule will allow ESOC to continue to attempt to regain control of the spacecraft and ESOC is taking all practical steps to coordinate the safe operation of E3, including contacting the operators of neighboring satellites. E3 is expected to remain approximately 10-12km above the geostationary orbital arc which adds to its safety.

ESOC will continue to comply with the conditions set forth in the current grant as follows:<sup>6</sup>

1. ESOC is required to accept interference from other lawfully operating space stations or radio communication systems
2. In the event of any harmful interference to other lawfully operating space stations or radio communication systems, ESOC shall inform the Commission, in writing, immediately of such an event
3. ESOC must coordinate the operations of E3 with existing geostationary space stations to ensure that no unacceptable interference results from its operations under this grant of STA

### III. CONCLUSION

For the foregoing reasons, ESOC respectfully requests renewal of this STA to permit the flight of E3 outside the satellite's assigned stationkeeping volume, and, where possible, operate the TT&C.

Respectfully submitted,

By: /s/ Jennifer A. Manner

Jennifer A. Manner  
Senior Vice President, Regulatory Affairs  
EchoStar Satellite Operating Corporation  
11717 Exploration Lane  
Germantown, MD 20876  
(301) 428-5893

Dated: August 14, 2017

---

<sup>5</sup> *Wait Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972).

<sup>6</sup> See E3 STA