

S2811 SAT-STA-20181016-00079 IB2018008558
EchoStar Satellite Operating Corporation
EchoStar 15



File # SAT-STA-20181016-00079

Call Sign S2811 Grant Date 10/25/18
(or other identifier)

From 11/01/18 Term Dates period of 60 days
To: 12/01/18

Approved by OMB
3060-0678

Approved: Stephen J. Duall
Chief, Satellite Policy Branch

Date & Time Filed: Oct 16 2018 5:26:53:626PM
File Number: SAT-STA-20181016-00079
Callsign:

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:
EchoStar 15 DBS Operations STA

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-STA-20181016-00079

IBFS File No(s):	SAT-STA-20181016-00079	<div>GRANTED – With Conditions</div> <div></div> <div>International Bureau Satellite Division</div>
Licensee/Grantee:	EchoStar Satellite Operating Corporation (EchoStar)	
Call Sign:	S2811	
Satellite Name:	EchoStar 15	
Orbital Location: (required station-keeping tolerance)	61.65° 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 60 days to provide DBS over channels 1-32.	
Service Area(s):	See IBFS File No. SAT-MOD-20150911-00063 (Schedule S at S6).	
Frequencies:	<div>12.2-12.7 GHz (space-to-Earth) 17.3-17.8 GHz (Earth-to-space)</div> <div>Telemetry, tracking, and command: 12.692 GHz (space-to-Earth) 12.693 GHz (space-to-Earth) 12.6945 GHz (space-to-Earth) 12.6985 GHz (space-to-Earth) 17.7915 GHz (Earth-to-space) 17.7935 GHz (Earth-to-space)</div>	

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:

- Operations pursuant to this authority shall be in accordance with the conditions imposed in our June 2012 Order. *See* 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, *Order and Authorization*, 27 FCC Rcd 7138, 7141-42, ¶ 11 (Int'l Bur. Sat. Div. 2012).
- All authorized operations will be on an unprotected and non-harmful interference basis (i.e., EchoStar will not cause harmful interference to, and will not claim interference protection from, any other lawfully operating station). In the event of any harmful interference resulting from the authorized operations, EchoStar will cease operations immediately upon notification of such interference and will immediately inform the Commission in writing of such interference.
- EchoStar must maintain the EchoStar satellite at 61.65° W.L. with an east-west longitudinal station-keeping tolerance of +/-0.05 degrees.
- Grant of this special temporary authority is without prejudice to any action taken on EchoStar's pending application to modify the authorization for EchoStar 15 (IBFS File No. SAT-MOD-20181016-00078).

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.

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.

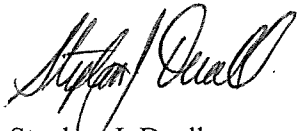
ATTACHMENT TO GRANT
EchoStar Satellite Operating Corporation
IBFS File No. SAT-STA-20181016-00079

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).

Action Date:	October 25, 2018
---------------------	------------------

Term Dates	From: November 1, 2018	To: period of 60 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 or Submission ID IB2018008556			
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 type="radio"/> Extend Expiration Date <input checked="" type="radio"/> Other			
6. Temporary Orbit Location		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.)

Seeking 60-day STA to operate EchoStar 15 (Call Sign S2811) on all 32 DBS channels at its existing 61.65' WL orbital location. 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

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

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

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 SPECIAL TEMPORARY AUTHORIZATION (Response to Question 8, STA Form)

Pursuant to Section 25.120(b)(3) of the Commission's rules,¹ EchoStar Satellite Operating Corporation (together with its affiliates, "EchoStar") requests a 60-day special temporary authorization ("STA"), commencing approximately on November 1, 2018, to operate the EchoStar 15 satellite (Call Sign S2811) on all 32 Direct Broadcast Satellite ("DBS") channels at its existing 61.65° W.L. orbital location.²

EchoStar 15 is currently licensed as an in-orbit spare at 61.65° W.L. to provide backup capacity for EchoStar 16,³ which is authorized to operate at 61.5° W.L. on all 32 DBS channels under Commission license (for channels 3 through 32) and STA (for channels 1 and 2).⁴ EchoStar seeks to operate EchoStar 15, in conjunction with its authorized EchoStar 16 operations, to continue providing service from the nominal 61.5° W.L. orbital location for DISH Network, L.L.C.'s ("DISH") satellite television network. The proposed operations will be limited to only those channels not used on EchoStar 16 or other authorized satellites at the nominal 61.5° W.L. orbital location, such that the same channel will not be used simultaneously on more than one authorized satellite at that nominal orbital location.

¹ See 47 C.F.R. § 25.120(b)(3).

² Concurrently with this filing, EchoStar is submitting an application for license modification ("Modification Application") to operate EchoStar 15 at 61.65° W.L. on DBS channels 3 through 32. The Modification Application includes Schedule S and Technical Annex information that supports the proposed operations.

³ See EchoStar, Stamp Grant, File Nos. SAT-MOD-20151123-00063 & SAT-AMD-20151221-00084 (granted Feb. 24, 2016).

⁴ See *EchoStar Satellite Operating Corp.*, Order and Authorization, 27 FCC Rcd 7138, ¶¶ 10-11 (IB 2012) ("*EchoStar 16 Authorization*"); EchoStar, Stamp Grant, File No. SAT-STA-20180706-00051 (granted Aug. 23, 2018).

EchoStar will use existing earth stations (*e.g.*, Call Signs E060003, E080007, and E080120) that are already licensed for feeder link and telemetry, tracking, and control (“TT&C”) communications with EchoStar 15 and other satellites at the 61.5° W.L. orbital cluster. Thus, no additional earth station authorization is required for the proposed operations.

The proposed operations will serve the public interest by allowing EchoStar the flexibility to manage its satellite fleet efficiently, provide for more productive use of an in-orbit spare satellite, and further ensure full use of DBS spectrum and uninterrupted service from 61.5° W.L. nominally. The Commission has a longstanding policy of leaving fleet management decisions to satellite operators because doing so generally serves the public interest. Specifically, the Commission has determined that the satellite licensee “is in a better position to determine how to tailor its system to meet the particular needs of its customers.”⁵ Thus, the Commission “will generally grant a [satellite] licensee’s request to modify its system, provided there are no compelling countervailing public interest considerations.”⁶

At the same time, the proposed operations will cause no harmful interference to other authorized services, as demonstrated in the Technical Annex of the Modification Application. Moreover, as noted below, EchoStar 15 will operate under STA on an unprotected, non-harmful interference basis and subject to conditions, including the following:

1. All authorized operations will be on an unprotected and non-harmful interference basis (*i.e.*, EchoStar will not cause harmful interference to, and will not claim interference protection from, any other lawfully operating station).
2. In the event of any harmful interference resulting from the authorized operations, EchoStar will cease operations immediately upon notification of such interference and will immediately inform the Commission in writing of such interference.

⁵ *AMSC Subsidiary Corporation*, Order and Authorization, 13 FCC Rcd 12316, ¶ 8 (IB 1998).

⁶ *Id.*; see also *SES Americom, Inc.*, Order and Authorization, 21 FCC Rcd. 3430, ¶ 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”).

3. EchoStar will coordinate operations with other potentially affected in-orbit satellite operators.
4. EchoStar will maintain the satellite at 61.65° W.L. with an east-west longitudinal station-keeping tolerance of +/-0.05 degree.
5. 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.
6. EchoStar shall not claim protection from interference from any other lawfully operating radio station with respect to its operations on channels 1 and 2.
7. 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 termination of its temporary authority to operate on these channels.
8. EchoStar will continue to provide the required terms set forth in the original grant [*i.e., EchoStar 16 Authorization*] in its monthly billing statements and marketing notifications.
9. 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.
10. EchoStar will cease operations on channels 1 and 2 at the nominal 61.5° W.L. orbital location upon the launch and operation of a satellite regularly licensed to operate on these channels at this location.

Based upon the foregoing, the Commission should grant the requested STA to operate EchoStar 15 on all 32 DBS channels at its existing orbital location. The proposed operations will facilitate efficient satellite fleet management, permit more productive use of an in-orbit spare, and further ensure full use of DBS spectrum and uninterrupted service from the nominal 61.5° W.L. orbital location.