

## EXHIBIT 1

### REQUEST FOR RENEWAL OF SPECIAL TEMPORARY AUTHORIZATION (Response to Question 8, STA Form)

Pursuant to Section 25.120(b)(2) of the Commission's rules,<sup>1</sup> EchoStar Satellite Operating Corporation (together with its affiliates, "EchoStar") requests renewal of its special temporary authorization ("STA"), for an additional 180-day period, to continue operating the EchoStar 15 satellite (Call Sign S2811) on Direct Broadcast Satellite ("DBS") channels 1 and 2 at its existing 61.65° W.L. orbital location.<sup>2</sup>

EchoStar 15 previously served as an in-orbit spare at 61.65° W.L. to provide backup capacity for EchoStar 16,<sup>3</sup> 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).<sup>4</sup> On December 4, the Commission granted a license modification authorizing EchoStar 15 operations on DBS channels 3 through 32 at 61.65° W.L. to allow EchoStar to continue providing service, in conjunction with its authorized EchoStar 16 operations, from the nominal 61.5° W.L. orbital location for the DISH satellite television network.<sup>5</sup> Consequently, EchoStar no longer requires an STA to operate EchoStar 15 on DBS channels 3 through 32. However, because DBS channels 1 and 2 remain unassigned at the nominal 61.5° W.L. orbital location, EchoStar seeks

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<sup>1</sup> See 47 C.F.R. § 25.120(b)(2).

<sup>2</sup> See EchoStar, Stamp Grant, File No. SAT-STA-20181016-00079 (granted Oct. 25, 2018) (granting STA for EchoStar 15 operations on all 32 DBS channels commencing on November 1).

<sup>3</sup> See EchoStar, Stamp Grant, File Nos. SAT-MOD-20150911-00063 & SAT-AMD-20151221-00084 (granted Feb. 24, 2016).

<sup>4</sup> 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).

<sup>5</sup> See EchoStar, Stamp Grant, File No. SAT-MOD-20181016-00078 (granted Dec. 4, 2018).

an STA renewal to continue EchoStar 15's operations, in conjunction with EchoStar 16's ongoing STA operations, on these two DBS channels.

Grant of the requested STA renewal 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 satellite, and further ensure full use of DBS spectrum and uninterrupted satellite service to subscribers. 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."<sup>6</sup> Thus, the Commission "will generally grant a [satellite] licensee's request to modify its system, provided there are no compelling countervailing public interest considerations."<sup>7</sup>

At the same time, EchoStar 15's STA operations on DBS channels 1 and 2 will continue 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.
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 termination of its temporary authority to operate on these channels.

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<sup>6</sup> *AMSC Subsidiary Corp.*, Order and Authorization, 13 FCC Rcd 12316, ¶ 8 (IB 1998).

<sup>7</sup> *Id.*; *see also SES Americom, Inc.*, Order and Authorization, 21 FCC Rcd 3430, ¶ 8 (IB 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").

4. 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.
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 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 renewal to continue EchoStar 15's operations on DBS channels 1 and 2 at its existing orbital location.