

S2811 SAT-STA-20181212-00089 IB2018010499
EchoStar Satellite Operating Corporation
EchoStar 15



File # SAT-STA-2018 1212-00089

Call Sign S2811 Grant Date 02/13/19
(or other identifier)

Term Dates period of
From 12/31/19 To: 180 days

Approved by OMB
3060-0678

Approved: *Stephen J Duall*
Stephen J Duall
Chief, Satellite Policy Branch

Date & Time Filed: Dec 12 2018 2:27:22:740PM
File Number: SAT-STA-20181212-00089
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:
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-20181212-00089

IBFS File No(s):	SAT-STA-20181212-00089	<p>GRANTED – With Conditions</p>  <p>International Bureau Satellite Division</p>
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)	
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):	See IBFS File No. SAT-MOD-20150911-00063 (Schedule S at S6).	
Frequencies:	12.2-12.7 GHz (space-to-Earth) 17.3-17.8 GHz (Earth-to-space) 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)	
<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. Operations pursuant to this authority shall be in accordance with the conditions in our June 2012 Order. See EchoStar Satellite Operating Corporation Application 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, ¶ 11 (Int’l Bur. Sat. Div. 2012). 2. All authorized operations will be on an unprotected and non-harmful interference basis (i.e., EchoStar will not cause harmful interference to, and must 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. 3. EchoStar must maintain the EchoStar 15 satellite at the 61.65° W.L. orbital location with an east-west longitudinal station-keeping tolerance of ± 0.05 degrees. 		
<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>		

ATTACHMENT TO GRANT
EchoStar Satellite Operating Corporation
IBFS File No. SAT-STA-20181212-00089

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:	February 13, 2019	
Term Dates	From: December 31, 2018	To: period of 180 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 SATSTA2018101600079 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 2019-06-28 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 180-day STA renewal to operate EchoStar 15 (Call Sign S2811) on DBS channels 1 and 2 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).

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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 AUTHORIZATION (Response to Question 8, STA Form)

Pursuant to Section 25.120(b)(2) of the Commission's rules,¹ 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.²

EchoStar 15 previously served 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 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.⁵ 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

¹ See 47 C.F.R. § 25.120(b)(2).

² 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).

³ See EchoStar, Stamp Grant, File Nos. SAT-MOD-20150911-00063 & 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).

⁵ 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."⁶ Thus, the Commission "will generally grant a [satellite] licensee's request to modify its system, provided there are no compelling countervailing public interest considerations."⁷

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.

⁶ *AMSC Subsidiary Corp.*, Order and Authorization, 13 FCC Rcd 12316, ¶ 8 (1B 1998).

⁷ *Id.*; see also *SES Americom, Inc.*, Order and Authorization, 21 FCC Rcd 3430, ¶ 8 (1B 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.