



8 January 2014

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Call Sign E080100; File Nos. SES-AFS-20130920-00833, SES-MOD-20121023-00963

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation (“ESOC, and together with its affiliates, “EchoStar”) files this letter in response to the Supplemental Showing and Response to Comments recently submitted by Row 44 Inc. (“Row 44”) for the above referenced applications.¹

In its applications, Row 44 requested a waiver of the Table of Allocations set forth in Section 2.106 of the Commission’s rules to permit Row 44’s earth stations to communicate with Intelsat 19 (“IS-19”) in the 12.25-12.75 GHz band in International Telecommunication Union (“ITU”) Region 2 on a non-protected, non-interference basis.² In Comments filed on December 13, 2013, EchoStar asked the Commission to require Row 44 to submit a technical interference analysis demonstrating that such operations would not interfere with current and planned Broadcast Satellite Service (“BSS”) operations, which have priority in the 12.25 – 12.75 GHz band in ITU Region 2.³ The

¹ See Letter from David S. Keir, Counsel to Row 44 Inc., to Jose Albuquerque, Chief, Satellite Division, International Bureau, FCC, *filed in* File Nos. SES-MOD-20121023-00963, SES-AFS-20130920-00833 (filed Dec. 23, 2013) (“Supplemental Showing”); *see also* Row 44 Inc., Application for Modification of License, File No. SES-MOD-20121023-00963 (filed Oct. 23, 2012) (“Original Modification”); Row 44 Inc., Amendment to Application for Modification of License, File No. SES-AFS-20130920-00833 (filed Sept. 20, 2013).

² See Original Modification, Narrative at 3-4.

³ EchoStar Satellite Operating Corporation, Comments, *filed in* File Nos. SES-MOD-20121023-00963, SES-AFS-20130920-00833 (filed Dec. 13, 2013).



Row 44 Supplemental Showing included such an analysis, and EchoStar has since had an opportunity to review it.

Based on this review, and under the specific circumstance set forth in Row 44's modification, EchoStar has no objection to Row 44's operations in the 12.25-12.75 GHz band (Ku band) with the IS-19 satellite at 166° W.L. over ITU Region 2 on a non-interference, non-protected basis, as long as Row 44's license is conditioned on ceasing operations in the unlikely event that its operations cause any interference to the existing primary service users in the Ku band. EchoStar reiterates that grant of Row 44's requested waiver should not be construed so as to establish precedent for more expansive use of the BSS band for non-conforming uses. BSS operators now and in the future should be able to plan and design their systems without regard to any non-BSS system or systems operating under waivers in the priority BSS band.

Respectfully submitted,

/s/

Jennifer A. Manner
Vice President, Regulatory Affairs
EchoStar Corporation
11717 Exploration Lane
Germantown, MD 20817
(301) 428-5893
jennifer.manner@echostar.com

8 January 2014

cc: Jose Albuquerque
Stephen Duall
Kathryn Medley

EchoStar Technologies L.L.C.

100 Inverness Terrace East • Englewood, CO 80112 • Tel: 303.706.4000