



January 17, 2014

VIA IBFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: O3b License Application SES-LIC-20130618-00516 under Call Sign E130107, as amended by SES-AMD-20131122-01187 (December 18, 2013)

Dear Ms. Dortch:

Hughes Network Systems, LLC (HNS) and EchoStar Satellite Operating Corporation (ESOC) (collectively, EchoStar) provide these comments in response to the above-referenced application of O3b Limited (O3b) for an earth station license in the 17.8-18.6 GHz, 18.8-19.3 GHz, 27.6-28.4 GHz and the 28.6-29.1 GHz band (the Ka band) in Bristow, Virginia.¹ As a satellite operator providing important services, including broadband, to U.S. consumers, businesses and the government, EchoStar's networks must be protected from interference. EchoStar has several satellites that operate in Ka band that may be impacted by O3b's proposed operations in the United States and elsewhere.² Accordingly, EchoStar strongly urges that any authorization granted to O3b include express conditions to mitigate the potential for any harmful interference between EchoStar's and O3b's proposed operations.

In its application, O3b describes its plans to operate its Virginia earth station in certain frequencies where geostationary orbit (GSO) fixed satellite service and fixed service operators³

¹ See O3b License Application SES-LIC-20130618-00516 under Call Sign E130107, as amended by SES-AMD-20131122-01187(released Dec. 18, 2013) ("O3b License Application").

² Specifically, EchoStar operates satellites in the 18.3-18.6 GHz, 18.8-19.3 GHz, 28.35-28.4 GHz and 28.6-29 GHz bands.

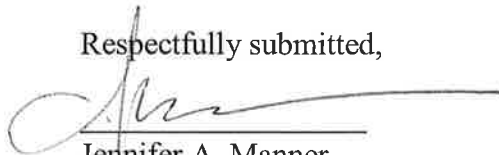
³ An EchoStar company, Alta Wireless, Inc., is the licensee of four Local Multi-Point Distribution Service (LMDS) authorizations in Cheyenne, Wyoming, Phoenix, Arizona, Kansas City, Missouri and San Diego, California that operate in the FS Ka band frequencies that O3b has asked for authority to operate in. See Alta Wireless, Inc., File No. 0005368543, Call Sign WPOH667 (granted Aug. 14, 2008); Alta Wireless, Inc., File No. 0005368544, Call Sign WPOH668 (granted Sept. 22, 1998); Alta Wireless, Inc., File No. 0005368545, Call Sign WPOH669 (granted Aug. 14, 2008); and Alta Wireless, Inc., File No. 005368546, Call Sign WPOH670 (granted Aug. 14, 2008). While, because of the geographic separation of the proposed O3b earth station from these licenses there is minimal chance of harmful interference, EchoStar still has a general interest in ensuring that all LMDS licensees are protected and not subject to harmful interference. Accordingly, EchoStar urges the FCC to condition any grant of authorization to O3b on protecting LMDS services.

are primary.⁴ While O3b rightfully acknowledges that it must protect current GSO and FS services in the bands where EchoStar operates on a primary basis,⁵ EchoStar believes it is important that this obligation be an express condition of any authorization granted to O3b in order to ensure it is adequately protected from any harmful interference.⁶

Second, EchoStar is concerned that O3b has not fully complied with its obligations under its United Kingdom space station authorization which includes coordinating with Hughes' satellite networks. While O3b and EchoStar have met once, there is no current coordination agreement in place between the two operators. Until a coordination agreement has been negotiated, there is the potential for harmful interference to Hughes' networks both in the United States and elsewhere. Accordingly, any authorization granted to O3b must expressly condition such use on a non-harmful interference basis until coordination is concluded.⁷

As a leading satellite technology and services company, EchoStar has a strong interest in ensuring that its networks are protected from interference. Thus, to the extent that the O3b authorization is granted, EchoStar urges that it be conditioned on protecting primary services in the band, and be made subject to coordination with other satellite operators.

Respectfully submitted,



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⁴ See O3b License Application, Exhibit 1, Legal Narrative, at p.3 ("O3b Legal Narrative").

⁵ See *id.* at pp. 4-7.

⁶ The Commission has already imposed such a condition when granting O3b a license to operate a gateway in Haleiwa, Hawaii. See FCC File No. SES-LIC-20100723-00952, Sec. H, Condition 90039 (granted Sep. 25, 2012) (stating, "Transmissions ... shall be on a secondary basis. Such secondary operations must not cause harmful interference to primary users. Further, O3b Limited cannot claim protection from harmful interference caused by primary users."). O3b agrees to operate its Virginia earth station in accordance with such conditions. See O3b Legal Narrative at p. 8.

⁷ See SES-LIC-20111021-01243 (Call Sign E110149), n. 90024 (FCC conditioned operation of earth stations on the compliance with UK domestic rules).

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