

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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	) File No. SES-MFS-2012____-____
	) File No. SES-STA-2012____-____
	) Call Sign E080058
In the Matter of	)
	) File No. SES-MFS-2012____-____
<b>ECHOSTAR BROADCASTING CORPORATION</b>	) File No. SES-STA-2012____-____
	) Call Sign E980174
Applications for Special Temporary	)
Authority and Modification to Operate Four	) File No. SES-MFS-2012____-____
Transmit/Receive Earth Stations with	) File No. SES-STA-2012____-____
EchoStar 8 at 76.90° W.L.	) Call Sign E980180
	)
	) File No. SES-MFS-2012____-____
	) File No. SES-STA-2012____-____
	) Call Sign E080120

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**APPLICATIONS FOR MODIFICATION AND SPECIAL TEMPORARY AUTHORITY**

By this Application, and pursuant to Sections 25.117 and 25.120(b)(4) of the Commission’s rules,<sup>1</sup> beginning on or about December 11, 2012, EchoStar Broadcasting Corporation (“EBC” and collectively with its affiliates, “EchoStar”) requests the following: (1) 30-day special temporary authority (“STA”) to operate three transmit/receive earth stations (Call Signs E080058, E980174, and E980180) to provide telemetry, tracking, and control (“TT&C”) and feeder link communications during the relocation of the EchoStar 8 satellite to, and operations at, a new location within the 77° W.L. orbital cluster, 76.90° W.L., and to communicate with the satellite once at its new location; (2) 30-day STA to operate one transmit/receive earth station (Call Sign E080120) to provide TT&C during the relocation of EchoStar 8 to, and operations at, 76.90° W.L.; (3) modification of its authority to operate three

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<sup>1</sup> See 47 C.F.R. §§ 25.117, 25.120(b)(4).

transmit/receive earth stations (Call Signs E080058, E980174, and E980180) to provide TT&C and feeder link communications once EchoStar 8 has been relocated to 76.90° W.L.; and (4) modification of its authority to operate one transmit/receive earth station (Call Sign E080120) to provide TT&C communications once EchoStar 8 has been relocated to 76.90° W.L.

EchoStar plans to direct the move of the QuetzSat-1 satellite from the 61.5° W.L. orbital location to 77.05° W.L. beginning in December 2012. In anticipation of this move, EchoStar seeks to move EchoStar 6 from 76.95° W.L. to 76.80° W.L. and to move EchoStar 8 from 77.05° W.L. to 76.90° W.L.

## **I. BACKGROUND**

The nominal 77° W.L. orbital location is allotted to Mexico under the Region 2 Broadcasting-Satellite Service plan set forth in Appendices 30 and 30A to the International Radio Regulations. In addition to the EchoStar 6 satellite, two other EchoStar Direct Broadcast Satellites (“DBS”) currently operate at the nominal 77° W.L. orbital location under Mexican authority issued to EBC’s partner, QuetzSat: EchoStar 1 and EchoStar 8. EchoStar 8 is used by EchoStar’s customers, DISH Network L.L.C. (“DISH”) and DISH Mexico, to provide DBS service in the United States and Mexico, and EchoStar 6 and EchoStar 1 provide backup to the United States and Mexico services, respectively. The U.S. service includes local-into-local programming in a number of markets in the southern United States. Currently, EchoStar 8 at 77° W.L., as backed up by EchoStar 1 and EchoStar 6, provides sufficient capacity to avoid service disruptions from that slot in the event any of the satellites experience a problem.

## **II. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST**

These applications are in the public interest because they will ensure the continued safe operation of EchoStar 8 at the nominal 77° W.L. orbital location as the satellite is moved to

accommodate the pending arrival of QuetzSat-1. During relocation to and operations at 76.90° W.L., EchoStar will ensure that operations do not cause harmful interference to any other satellite.

### **III. OPERATIONAL PARAMETERS**

During relocation maneuvers and maintenance of EchoStar 8 at the 76.90° W.L. orbital location, the earth station and satellite will operate subject to the following conditions:

1. All drift orbit TT&C and feeder link operations will be coordinated with other potentially affected in-orbit operators.
2. Drift operations and operations at 76.90° W.L. shall be on a non-harmful interference basis, meaning that EchoStar 8 shall not cause interference to, and shall not claim protections from, interference caused to it by any other lawfully operating satellites.
3. In the event that any harmful interference is caused as a result of TT&C or feeder link operations during the relocation of the EchoStar 8 satellite or while the satellite is at 76.90° W.L., EchoStar 8 shall cease the offending operations immediately upon notification of such interference and the Commission will be informed immediately, in writing, of such event.

### **IV. WAIVER PURSUANT TO SECTION 304 OF THE ACT**

In accordance with Section 304 of the Communications Act of 1934, as amended, 47 U.S.C. § 304, EBC hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.

### **V. CONCLUSION**

For the foregoing reasons, EBC respectfully requests the grant of its application for special temporary authority, beginning on or about December 11, 2012, to operate three transmit/receive earth stations (Call Signs E080058, E980174, and E980180) to provide TT&C and feeder link service during the relocation to, and operations of, EchoStar 8 at 76.90° W.L. and to operate one transmit/receive earth station (Call Sign E080120) to provide TT&C service for

the relocation to, and operations of, EchoStar 8 at 76.90° W.L. EBC also respectfully requests the grant of its application for modification of its authority to operate the three transmit/receive earth stations (Call Signs E080058, E980174, and E980180) to provide TT&C and feeder link service for EchoStar 8 at 76.90° W.L. and to operate one transmit/receive earth station (Call Sign E080120) to provide TT&C service for EchoStar 8 at 76.90° W.L.

Respectfully submitted,

Pantelis Michalopoulos  
Stephanie A. Roy  
Jessica I. Rothschild  
**Step toe & Johnson LLP**  
1330 Connecticut Avenue, NW  
Washington, D.C. 20036  
(202) 429-3000  
*Counsel for EchoStar Broadcasting  
Corporation*

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/s/  
Alison Minea  
Corporate Counsel  
**EchoStar Broadcasting Corporation**  
1110 Vermont Avenue, NW, Suite 750  
Washington, D.C. 20005  
(202) 293-0981

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