

EXHIBIT 1
DESCRIPTION OF PROPOSED MODIFICATION
(Response to Question 43)

Pursuant to Section 25.117 of the Commission’s rules,¹ EchoStar BSS Corporation (together with its affiliates, “DISH”) requests to modify licenses for five earth stations in Cheyenne, WY, Blackhawk/Summerset, SD, and Gilbert, AZ (Call Signs E980005, E020248, E150098, E070014, and E170094) to change points of communications by adding the EchoStar 23 satellite at 109.9° W.L., and deleting EchoStar 23 at 44.9° W.L., as a point of communications for telemetry, tracking, and control (“TT&C”) and feeder link communications.²

Launched in March 2017, EchoStar 23 is a Brazilian-licensed Ku-band Broadcasting Satellite Service (“BSS”) satellite currently operating at 44.9° W.L. Despite initial plans to operate EchoStar 23 to provide direct-to-home (“DTH”) television service to Brazil, DISH had determined that the satellite will be better utilized at the 72.6° W.L. orbital location, in conjunction with the Canadian-licensed Nimiq 5 satellite at 72.7° W.L., to support ongoing Direct Broadcast Satellite (“DBS”) service for DISH’s satellite television network. DISH has now updated its plans and has determined that EchoStar 23 would serve its customers better from the nominal 110° W.L orbital location for which it holds authority to operate from in the United States. Accordingly, the requested modification will allow regular operations of EchoStar 23 at 109.9° W.L. for service to DISH subscribers in the United States.³

For TT&C and feeder link communications with EchoStar 23, the subject earth stations will operate on the following frequencies, consistent with the frequency bands and other technical parameters specified under their existing licenses:

- 17.300-17.310 GHz and 17.791 GHz for TT&C uplinks;
- 12.200-12.210 GHz for TT&C downlinks; and
- 17.300-17.800 GHz for feeder uplinks.

All five earth stations are already licensed for TT&C and feeder link communications using the above-specified frequencies with EchoStar 23 at 44.9° W.L., and have been frequency coordinated over a geostationary satellite arc that includes the 110° W.L. orbital location. Thus, the proposed operations will not cause harmful interference to other authorized operations.⁴

¹ See 47 C.F.R. § 25.117.

² DISH is concurrently filing applications for special temporary authority to operate the subject earth stations for TT&C and feeder link communications with EchoStar 23 during its relocation to, and operations at, the 109.9° W.L. orbital location.

³ An application will be filed shortly for authority to operate the EchoStar 23 for service to the United States from 109.9° W.L.

⁴ Additionally, the proposed operations are substantially consistent with Section 25.118(a)(3) of the Commission’s rules, allowing earth station operators to change a satellite point of communication without prior authorization under certain circumstances when an earth station antenna is not repositioned beyond the coordinated range. See 47 C.F.R. § 25.118(a)(3).

The proposed operations will serve the public interest by allowing DISH the flexibility to manage its satellite fleet efficiently, provide for more productive use of its satellites, and further ensure full use of spectrum and uninterrupted service from the nominal 110° W.L. orbital location. Indeed, the Commission has a longstanding policy of leaving fleet management decisions to satellite operators because doing so generally serves the public interest.⁵

Specifically, the Commission has determined that a 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 Consequently, consistent with its rules and policies, the Commission should grant the proposed modification to add EchoStar 23 as a point of communications at the 110° W.L. orbital location for TT&C and feeder link communications required for service to U.S. and Canadian consumers.

⁵ See SES Americom, Inc., *Order and Authorization*, 21 FCC Rcd. 3430, ¶ 8 (2006) (“SES Americom”); AMSC Subsidiary Corporation, *Order and Authorization*, 13 FCC Rcd. 12316, ¶ 8 (1998) (“AMSC”).

⁶ AMSC ¶ 8.

⁷ *Id.*; see also SES Americom ¶ 8 (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”).