

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
Extension Application for SES-STA-20050812-01097 (E050045)

1. Applicant

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Attention:	David K Moskowitz		



File # SES-STA-20050901-01201

Call Sign E050045 Grant Date 9/9/05
(or other identifier)

Term Dates
From 9/13/05 To: 10/13/05

Approved: Jeannette W. Spriggs

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

In the Matter of)
)
EchoStar Satellite Operating)
Corporation)
)
Application To Extend Special)
Temporary Authority to Operate Three)
Ka-band Antennas in Conjunction)
with AMC-15 at the 105 W.L.°)
Orbital Location and EchoStar 9)
at the 121° W.L. Orbital Location)

E050045 **SES-STA-20050901-01201** **IB2005002015**
EchoStar Satellite Operating Corporation

FCC Call Sign: E050045

**APPLICATION TO EXTEND
SPECIAL TEMPORARY AUTHORITY**

Pursuant to Sections 307 and 309 of the Communications Act, as amended, 47 U.S.C. §§ 307 and 309 and Section 25.120 of the Commission's Rules, 47 C.F.R. § 25.120, EchoStar Satellite Operating Corporation ("EchoStar") hereby requests a 30 day extension of the Special Temporary Authority ("STA") to operate three Ka-band transmit/receive 9.0 meter antennas located in Gilbert, Arizona with the AMC-15 satellite at the 105° W.L. orbital location and the EchoStar 9 satellite at the 121° W.L. orbital location that was granted in File Number SES-STA-20050812-01097. Grant of this Extension Application will allow the continued operation of E050045 while EchoStar's application for permanent authority for this station is pending.¹

¹ See File Nos. SES-LIC-20050610-00724 and SES-AMD-20050815-01102. These applications were placed on public notice on August 24, 2005.

As described in more detail in the attached Extension Application and exhibits, the three Ka-band antennas located in Gilbert are each 9.0 meter Vertex surface molded composite antennas that are compliant with FCC regulations for operation. They will operate in the 18.6 and 18.8 GHz (downlink) and 28.4-28.6 GHz (uplink) frequency bands utilizing left and right hand circular polarization in both the transmit and receive modes.

Grant of this Extension Application will assist EchoStar in conducting regular operations with AMC-15 at 105° W.L. and EchoStar 9 at 121° W.L., including the receipt of direct-to-home video signals and broadband communications from multiple GSO satellites. Integrating its Ka-band FSS licenses with its existing fleet of DBS satellites will make it possible for EchoStar to deliver additional video and other services to consumers.² If EchoStar loses its existing ability to communicate with Ka-band satellites, it will delay EchoStar's efforts to integrate the capacity on its Ka-band FSS satellites with its existing DBS satellites to the detriment of consumers. As a result, grant of this Extension Application is in the public interest.

I. GRANT OF THIS EXTENSION APPLICATION WILL NOT CAUSE ANY HARMFUL INTERFERENCE AND WILL SERVE THE PUBLIC INTEREST

The Commission has a long-standing policy of granting Special Temporary Authority where such authorization will not cause harmful interference and will serve the public interest, convenience and necessity. *See e.g., In the Matter of Newcomb Communications, Inc.*, 8 FCC Rcd. 3631, 3633 (1993); *In the Matter of Columbia Communications Corp.*, 11 FCC Rcd.

² EchoStar currently operates a Ka-band payload on the EchoStar 9 satellite, a hybrid Ka-/Ku-band spacecraft, at the 121° W.L. orbital location, one DBS satellite -- EchoStar 7 -- at the 119° W.L. orbital location, two DBS satellites -- EchoStar 6 and EchoStar 8 -- at the 110° W.L. orbital location and has an application pending to provide Ku-band service to the United States from a Canadian-licensed satellite at the 118.7° W.L. orbital location. *See* File No. SES-LFS-20040831-01253 (filed Aug. 31, 2004).

8639, 8640 (1996); *In the Matter of American Telephone & Telegraph Co.*, Order, 8 FCC Rcd. 8742 (1993). The requested operations meet both of these tests.

First, no harmful interference will be caused by the operation of this earth station with AMC-15 at 105° W.L. and EchoStar 9 at 121° W.L. EchoStar's earth station is fully compliant with the Commission's Rules regarding antenna performance. Further the system has been frequency coordinated.

Second, swift grant of EchoStar's Extension Application will serve the public interest. This earth station will allow EchoStar to provide a combination of video and broadband services and allow communications with multiple satellites and multiple frequencies in the geostationary arc. As noted earlier, the grant of this Application will allow EchoStar to conduct regular operations from multiple orbital locations. By integrating its Ka-band FSS licenses with its existing fleet of DBS satellites, EchoStar will be able to provide additional video and other services to consumers. Losing its existing STA authority for E050045 will slow the development of its integrated product offerings.

II. SECTION 304 WAIVER

In accordance with Section 304 of the Communications Act of 1934, 47 U.S.C. § 304, EchoStar hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum because of the previous use of the same, whether by license or otherwise.

III. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests an extension of its existing Special Temporary Authority to operate the three Ka-band transmit/receive earth

