

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
30 Day STA for New Braunfels, Texas DBS Earth Stations

I. Applicant

Name:	EchoStar Satellite Operating Corporation	Phone Number:	303-723-1000
DBA Name:		Fax Number:	303-723-1699
Street:	9601 South Meridian Boulevard	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:	David K Moskowitz		



File # SES-STA-20051111-01560

Call Sign N/A Grant Date 1/30/06
(or other identifier)

From 1/30/06 To 2/28/06

Approved: Maretha W. Spriggs

2. Contact

Name:	Pantelis Michalopoulos	Phone Number:	202-429-6494
Company:	Steptoe & Johnson LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Ave., NW	E-Mail:	pmichalo@steptoe.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -1795
Attention:		Relationship:	Legal Counsel

(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)

3. Reference File Number or Submission ID

4a. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
- Governmental Entity Noncommercial educational licensee
- Other (please explain):

4b. Fee Classification CGX – Fixed Satellite Transmit/Receive Earth Station

5. Type Request

- Use Prior to Grant Change Station Location Other

6. Requested Use Prior Date

7. City New Braunfels

8. Latitude
(dd mm ss.s h) 29 45 35.8 N

9. State TX	10. Longitude (dd mm ss.s h) 98 3 48.1 W
11. Please supply any need attachments. Attachment 1: Narrative Attachment 2: Freq. Coordination Attachment 3: Rad. Hazard	
12. Description. (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">This is an application for a 30 day STA to operate two new 13.2m DBS antennas located in New Braunfels, Texas.</div>	
13. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes. <input checked="" type="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing David K. Moskowitz	15. Title of Person Signing Executive Vice President and General Counsel
WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).	

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054**

_____)	
In the Matter of)	
)	
EchoStar Satellite Operating)	
Corporation)	File No. _____
)	
Application for Special Temporary)	FCC Call Sign: _____
Authority to Operate Two DBS)	
Antennas located in New Braunfels,)	
Texas in Order to Perform)	
Radiation Pattern Testing)	
)	
_____)	

**APPLICATION
FOR SPECIAL TEMPORARY AUTHORITY**

Pursuant to Section 309(c)(2)(G) of the Communications Act, as amended, 47 U.S.C. § 309(c)(2)(G) and Section 25.120 of the Commission's Rules, 47 C.F.R. § 25.120, EchoStar Satellite Operating Corporation ("EchoStar") hereby requests Special Temporary Authority ("STA") to operate two new 13.2 meter Direct Broadcast Satellite ("DBS") antennas located in New Braunfels, Texas with the EchoStar 1, EchoStar 2, EchoStar 3, EchoStar 4, EchoStar 5, EchoStar 6, EchoStar 7, and EchoStar 8 DBS satellites for a period of up to 30 days. Grant of this STA will allow EchoStar to perform radiation pattern testing prior to filing an application for permanent authority for this earth station.

As described in more detail in the attached Application and exhibits, the earth station will consist of two 13.2 meter Vertex/TIW antennas that have been designed to be in compliance with FCC regulations. This transmit/receive earth station will operate in the 12.2-12.7 GHz

(downlink) and 17.3-17.8 GHz (uplink) frequency bands utilizing linear and circular polarization in both the transmit and receive modes.

I. GRANT OF THIS APPLICATION SERVES 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. 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 New Braunfels DBS earth station. EchoStar's earth station should be in compliance with Commission's rules regarding antenna performance,¹ and the location has been frequency coordinated.² Second, grant of EchoStar's request for STA will serve the public interest. Temporary authority to operate and test these antennas will assist EchoStar in confirming the radiation patterns associated with this earth station. As a result, grant of this Application is in the public interest.

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

¹ *See* 47 C.F.R. § 25.209. The radiation pattern testing that would be performed under this STA will confirm compliance with this section of the rules.

² *See* Frequency Coordination and Interference Analysis Report that is included with this STA.

electromagnetic spectrum because of the previous use of the same, whether by license or otherwise.

III. CONCLUSION

For the foregoing reasons, EchoStar respectfully requests Special Temporary Authority to operate its New Braunfels DBS earth station with the EchoStar 1, EchoStar 2, EchoStar 3, EchoStar 4, EchoStar 5, EchoStar 6, EchoStar 7, and EchoStar 8 DBS satellites for up to 30 days.

Respectfully submitted,

Pantelis Michalopoulos
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/s/
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Counsel for EchoStar Satellite Operating Corporation

Dated: November 11, 2005

cc: FCC Columbia Operations Center