

Approved by OMB  
3060-0678

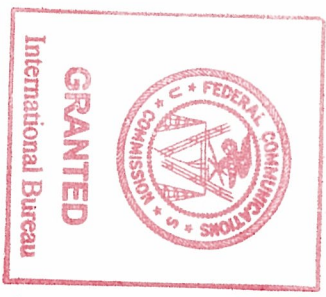
APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
Renewal of Special Temporary Authority to Operate Call Sign E080005 to Continue to Move EchoStar 11 to 110.0 W.L.

**I. Applicant**

Name: EchoStar Corporation Phone Number: 303-723-1000  
DBA Name: Fax Number:  
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City: Englewood State: CO  
Country: USA Zipcode: 80112  
Attention: Linda Kinney - (202)293-0981

*30 days extension*



File # SES-STA-20080813-01056  
Call Sign E080005 Grant Date 08/15/2008  
(or other identifier) Term Dates  
From 08/19/2008 To 09/17/2008  
Approved: Lebaner M. Coste



EchoStar 8 satellite to EchoStar 11. The in-orbit testing of EchoStar 11 took longer than anticipated, necessitating this immediate extension request. As explained in the narratives submitted with the original STA requests, the grant of temporary authority to move EchoStar 11 from its testing location at 138.5° W.L. to 110.0° W.L., where it will replace the EchoStar 8 satellite, will serve the public interest and will not adversely affect the operations of any other spacecraft or of other authorized spectrum users.

#### **I. GRANT OF THIS APPLICATION IS IN 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.<sup>3</sup> The proposed operations meet both of these tests.

DISH Network completed in-orbit testing of the EchoStar 11 satellite on August 5, 2008, and began to relocate the satellite to 110.0° W.L. on August 6, 2008.<sup>4</sup> All transponders (other than the TT&C transponders) on the satellite have been turned off during the relocation maneuvers. Once the satellite reaches 110.0° W.L., which is now expected to occur on or around August 21, it will begin DBS operation pursuant to regular authority.<sup>5</sup> Just as it is in the public interest to operate EchoStar 11 at 110.0° W.L.,<sup>6</sup> it is also in the public interest for the satellite to

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<sup>3</sup> See, e.g., *In the Matter of Newcomb Communications, Inc.*, Order and Authorization, 8 FCC Rcd 3631, 3633 (1993); *In the Matter of Columbia Communications Corp.*, Order, 11 FCC Rcd 8639, 8640 (1996); *In the Matter of American Telephone & Telegraph Co.*, Order, 8 FCC Rcd 8742 (1993).

<sup>4</sup> See Letter to Marlene H. Dortch, Secretary, FCC, from Petra A. Vorwig, Counsel for DISH Network Corporation, dated August 12, 2008.

<sup>5</sup> DISH Network has received separate authority to move EchoStar 8 from 110.0° W.L. to 109.8° W.L. and to transfer traffic from that satellite to EchoStar 11. See SAT-STA-20080516-00105 (granted July 24, 2008).

<sup>6</sup> See Stamp Grant, File No. SAT-LOA-20070622-00085, Call Sign S2738 (granted Jan. 11, 2008) (“*EchoStar 11 Grant*”).

continue to be moved to that location from its in-orbit testing location. DISH Network will coordinate the move so that its TT&C communications (on 17.794 and 17.797 GHz for command, and 12.208 GHz, 12.692 GHz and 12.693 GHz for telemetry) do not cause harmful interference into any authorized user of the spectrum (including DISH Network and DIRECTV's satellites at 129° W.L. and 119° W.L.) while en route. DISH Network will also ensure the safety of all spacecraft using that portion of the geostationary arc during the relocation.

## **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 renewal of its STA for an additional 30 days to operate the above referenced earth stations to complete the move of EchoStar 11 from 138.5° W.L. to 110.0° W.L. and to transfer traffic from EchoStar 8. During the relocation of EchoStar 11 from 138.5° W.L. to 110.0° W.L., all transponders other than the TT&C transponders will be switched off, and EchoStar will use the earth stations for TT&C communications with the satellite subject to the following conditions:

- (a) EchoStar shall coordinate all drift orbit operations with other potentially affected in-orbit operators.
- (b) No harmful interference will be caused to any lawfully operating satellite network or radio communication system, and EchoStar operations will cease immediately upon notification of harmful interference. Further, EchoStar shall notify the Commission immediately, in writing, of such an event.
- (c) EchoStar will accept interference from any lawfully operating satellite network or radio communication system.

Finally, during traffic transfer operations, EchoStar will use the earth stations for communications with the EchoStar 8 and EchoStar 11 satellites subject to the following conditions:

- (a) Operations shall be on a non-harmful interference basis, meaning that EchoStar shall not cause interference to, and shall not claim protection from interference caused to it by any other lawfully operating satellites;
- (b) In the event that any harmful interference is caused as a result of operations during traffic transfer, EchoStar shall cease operations immediately upon notification of such interference and shall inform the Commission immediately, in writing, of such event.

Respectfully submitted,

**EchoStar Corporation**

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*Counsel for EchoStar Corporation*

August 13, 2008

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