

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
Special Temporary Authority to Operate E980005 with Nimiq 5

1. Applicant

<b>Name:</b>	EchoStar Corporation	<b>Phone Number:</b>	303-723-1000
<b>DBA Name:</b>		<b>Fax Number:</b>	
<b>Street:</b>	90 Inverness Circle E.	<b>E-Mail:</b>	
<b>City:</b>	Englewood	<b>State:</b>	CO
<b>Country:</b>	USA	<b>Zipcode:</b>	80112 -
<b>Attention:</b>	Linda Kinney - (202)293-0981		

"30 days"



File # SES-STA-20090709-00850  
E980005  
Call Sign \_\_\_\_\_ Grant Date 9/11/09  
(or other identifier)  
From 9/18/09 Term Dates 10/17/09  
Approved: J.E. Huntington

<b>2. Contact</b>	
<b>Name:</b> Pantelis Michalopoulos	<b>Phone Number:</b> 202-429-6494
<b>Company:</b> Steptoe & Johnson LLP	<b>Fax Number:</b>
<b>Street:</b> 1330 Connecticut Ave, NW	<b>E-Mail:</b> pmichalopoulos@steptoe.com
<b>City:</b> Washington	<b>State:</b> DC
<b>Country:</b> USA	<b>Zipcode:</b> 20036 -
<b>Attention:</b>	<b>Relationship:</b> 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?	
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).	
<input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee	
<input type="radio"/> Other (please explain):	
4b. Fee Classification    CGX – Fixed Satellite Transmit/Receive Earth Station	
5. Type Request	
<input type="radio"/> Use Prior to Grant <input type="radio"/> Change Station Location <input checked="" type="radio"/> Other	
6. Requested Use Prior Date	
7. City Cheyenne	8. Latitude (dd mm ss.s h) 41 7 56.4 N

9. State WY	10. Longitude (dd mm ss.s h) 104 44 10.4 W
11. Please supply any need attachments. Attachment 1: Narrative Attachment 2: Attachment 3:	
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;">EchoStar Corporation seeks authorization to operate its transmit/receive earth station with Nimiq 5 beginning the day of launch and during orbit raising.</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 Linda Kinney	15. Title of Person Signing Vice President, Law and Regulation
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, D.C. 20554

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In the Matter of:         )  
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**ECHOSTAR CORPORATION**

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File No. SES-STA-2009 \_\_\_\_\_

Application for Special Temporary Authority  
to Operate Earth Station E980005 to Launch  
the Canadian-Licensed Nimiq 5 Satellite

**APPLICATION FOR SPECIAL TEMPORARY AUTHORITY**

Pursuant to Section 309 of the Communications Act of 1934, as amended 47 U.S.C. §  
309, and Part 25 of the Commission’s Rules, EchoStar Corporation (“EchoStar”) hereby files  
this application for special temporary authority (“STA”) to operate a transmit/receive earth  
station (Call Sign E980005) to perform telemetry, tracking and command (“TT&C”) operations  
to support the launch of Telesat Canada’s Nimiq 5 satellite and to maneuver the satellite into a  
circular geostationary orbit at its in-orbit test location of 82° W.L. No other changes are being  
requested by this application, and no further interference study or coordination is needed.

The 72.7° W.L. orbital location has been allotted to Canada under the International  
Telecommunication Union’s Region 2 Plan for the Broadcasting-Satellite Service (“BSS”).

Canada has authorized Telesat Canada (“Telesat”) to use the entire 12.2-12.7 GHz DBS band at  
the 72.7° W.L. location. Telesat has contracted to provide the use of all of the satellite’s capacity  
to Bell ExpressVu Limited Partnership, a limited partnership organized under the laws of the  
Province of Ontario in Canada, acting through its General Partner, Bell ExpressVu Inc., a

Canadian company. (“Bell ExpressVu”). Pursuant to the Nimiq 5 Transponder Service Agreement between EchoStar (and certain of its affiliates) and Bell ExpressVu, EchoStar will in turn subscribe for the use of up to 16 of the satellite’s DBS transponders to provide service into the United States<sup>1</sup> The satellite is scheduled to be launched in September 2009, and will initially be located at the 82° W.L. orbital location for testing.

Pursuant to an agreement between EchoStar and Telesat, EchoStar will provide TT&C services from its transmit/receive earth station in Cheyenne, Wyoming (Call Sign E980005) during the launch of Nimiq 5 and the maneuvering operations required to locate the satellite at its testing location of 82° W.L. During orbit-raising the earth station will support the transfer orbit services with system testing, participation in exercises and rehearsals, and tracking the satellite while it is within view of the earth station. Grant of this STA request is in the public interest because it will ensure the safe and successful launch of the Nimiq 5 satellite, which will in turn ensure that EchoStar and its affiliate, DISH Network Corporation, are able to provide additional DBS service to their customers into the United States as outlined in the Blanket Earth Station Application.

In accordance with Section 304 of the Communications Act of 1934, as amended, 47 U.S.C. § 304, EchoStar 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.

For the foregoing reasons, EchoStar respectfully requests the grant of its application for special temporary authority to operate its transmit/receive earth station (Call Sign E980005) to

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<sup>1</sup> EchoStar has filed for authority to provide service to the United States from Nimiq 5. File No. SES-MFS-20090306-00253 (filed Mar. 6, 2009) (“Blanket Earth Station Application”).

perform TT&C operations in support of the launch of Nimiq 5 and to maneuver the satellite into its in-orbit test location.

Respectfully submitted,

**EchoStar Corporation**

/s/

Pantelis Michalopoulos  
Petra Vorwig  
L. Lisa Sandoval\*  
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*Counsel for EchoStar Corporation*

July 9, 2009

*\* Admitted in New York and practicing under the supervision of an active member of the District of Columbia Bar.*