

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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)	
In the Matter of)	File No. SES-STA-_____ - _____
)	Call Sign E050017
ECHOSTAR BROADCASTING CORPORATION)	
)	File No. SES-STA-_____ - _____
Application for Special Temporary Authority)	Call Sign E070273
to Operate Three Transmit/Receive Earth)	
Stations with EchoStar 6 at 76.95° W.L.)	File No. SES-STA-_____ - _____
)	Call Sign E980081
)	
)	

APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

By this Application,¹ and pursuant to Section 25.120(a)(3),² EchoStar Broadcasting Corporation (“EBC”) requests special temporary authority (“STA”) to operate earth stations with the EchoStar 6 satellite at 76.95° W.L. as follows: (1) to operate two transmit/receive earth stations (Call Signs E070273 and E980081) to provide only telemetry, tracking and control (“TT&C”); and (2) to operate one transmit/receive earth station (Call Sign E050017) to provide both TT&C and feeder link communications for the remainder of the STA period granted to EBC’s parent, EchoStar Corporation (“EchoStar”) – i.e., June 6, 2011³ and June 10, 2011.⁴ On

¹ In conjunction with this application, EBC’s sister company, EchoStar Satellite Operating Corporation, is filing an application for STA to operate EchoStar 6 at 76.95° W.L. for remainder of the STA granted to EchoStar (“Satellite STA Application”). See File No. SAT-STA20011_____ - _____.

² 47 C.F.R. § 25.120(b)(3).

³ See Stamp Grant, File SES-STA-20110401-00399 (granted Apr. 8, 2011).

⁴ See Stamp Grant, File Nos. SES-STA-20110401-00398, SES-STA-20110401-00400 (granted Apr. 8, 2011).

February 24, 2011, EchoStar requested Commission consent to assign the earth stations that are the subject of this request and all associated authorizations to EBC on a *pro forma* basis.⁵ EBC requests that the Commission grant this STA immediately upon consenting to EchoStar's *pro forma* assignment to ensure there is no gap in EBC's ability to provide TT&C and feeder link communications for EchoStar 6.⁶

EchoStar 6 arrived at the 76.95° W.L. orbital location on February 13, 2011, and began providing service on February 14, 2011. The relocation was prompted by a single event upset ("SEU") that temporarily affected the EchoStar 8 satellite.⁷ On March 14, 2011, EchoStar filed an application to transfer EchoStar 6 to QuetzSat, S. de R.L. de C.V. ("QuetzSat"), which will operate the satellite under Mexican authority from the 76.95° W.L. orbital location.⁸ EchoStar also filed an application ("Blanket Earth Station Application") to modify its blanket earth station authorization to provide service from the Mexican-licensed EchoStar 6 satellite.⁹ This STA

⁵ See File No. SES-ASG-20110228-00554 (filed Feb. 24, 2011).

⁶ As noted in EchoStar's application for *pro forma* assignment of the earth stations, it has received the approval of its board of directors to assign its space station and earth station facilities upon Commission consent; therefore, the *pro forma* assignment will be consummated immediately upon receiving Commission consent. See File No. SES-ASG-20110228-00554, Narrative at 2 (filed Feb. 24, 2011).

⁷ See Letter from Petra A. Vorwig, Counsel for EchoStar Corporation, to Marlene H. Dortch, Secretary, FCC, filed in File No. SAT-T/C-20090217-00026 (Feb. 1, 2011).

⁸ See File No. SAT-T/C-20110314-00054 (filed Mar. 14, 2011). That application was filed subject to the then-pending *pro forma* assignment of the satellite to EchoStar Satellite Operating Corporation. See File No. SAT-ASG-20110224-00033 (granted Apr. 21, 2011).

⁹ See File No. SES-MFS-20110314-00288 (filed Mar. 14, 2011) ("Blanket Earth Station Application"). See also File Nos. SES-MFS-20110314-00291, SES-MFS-20110314-00290, SES-MFS-20110314-00289 (modifying the above referenced earth station licenses). These applications were filed subject to the proposed *pro forma* assignment.

request is necessary to allow the continued operation of EchoStar 6 while these applications remain pending.¹⁰

I. BACKGROUND

The nominal 77° W.L. orbital location is allotted to Mexico under the Region 2 Broadcasting-Satellite Service plan set forth in Appendices 30 and 30A to the International Radio Regulations. In addition to the EchoStar 6 satellite, EchoStar currently operates three Direct Broadcast Satellites (“DBS”) at the nominal 77° W.L. orbital location under Mexican authority issued to its partner, QuetzSat: EchoStar 1, EchoStar 4, and EchoStar 8. The satellites are used by EchoStar’s customers, DISH Network L.L.C. (“DISH”) and DISH Mexico, to provide DBS service in the United States and Mexico, respectively. The U.S. service includes local-into-local programming in a number of markets in the southern United States.

EchoStar 6, operating with EchoStar 1 and EchoStar 8 at 77° W.L., provides sufficient capacity to avoid service disruptions from that slot in the event any of the satellites experience a problem. EchoStar 1, a satellite launched in December 1995, has limited capability (only up to 16 transponders), and EchoStar 4, having reached the end of its design life, has been retired from commercial service.

II. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

This STA request is in the public interest for the reasons set forth in the Satellite STA Application and the Blanket Earth Station Application, which are incorporated herein by reference. Furthermore, grant of this application will ensure the continued safe operation of

¹⁰ The Mexican concessionaire for the 77° W.L. orbital location informed COFETEL of EchoStar 6’s relocation, and COFETEL “expressed no objection to placement of the Echo 6 satellite in the 77 W cluster.” See Letter from Ricardo Ríos Ferrer, Legal Representative, QuetzSat, S. de R.L. de C.V., to EchoStar Satellite Service LLC (Feb. 4, 2011), *filed in* File No. SAT-STA-20110207-00026, Attachment 2.

EchoStar 6 at the 76.95° W.L. orbital location. Grant of this application will not cause harmful interference because EBC will operate the earth stations to conduct TT&C operations and feeder link communications while EchoStar 6 is operating at 76.95° W.L. in accordance with the conditions imposed on the original grant held by EchoStar.¹¹

III. WAIVER PURSUANT TO SECTION 304 OF THE ACT

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

IV. CONCLUSION

For the foregoing reasons, EBC respectfully requests the grant of its application for special temporary authority to operate two transmit/receive earth stations (Call Signs E070273 and E980081) to provide TT&C service, and to operate one transmit/receive earth station (Call Sign E050017) to provide both TT&C service and feeder link communications, for EchoStar 6 at 76.95° W.L. for the remainder of the STA period granted to EchoStar – i.e., June 6, 2011¹² and June 10, 2011¹³ – upon Commission consent to EchoStar’s application for *pro forma* assignment of these earth stations.¹⁴

¹¹ See Stamp Grant, File Nos. SES-STA-20110207-00120; SES-STA-20110207-00121; SES-STA-20110207-00122 (granted Feb. 10, 2011).

¹² See Stamp Grant, File SES-STA-20110401-00399 (granted Apr. 8, 2011).

¹³ See Stamp Grant, File Nos. SES-STA-20110401-00398, SES-STA-20110401-00400 (granted Apr. 8, 2011).

¹⁴ See File No. SES-ASG-20110228-00554 (filed Feb. 24, 2011).

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May 25, 2011