

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
30-day Special Temporary Authority to Operate E980005 to Perform TT&C & In-Orbit Testing with QuetzSat-1 at 67.1 W.L., and  
TT&C During Relocation to 77 W.L.

I. Applicant

Name:	EchoStar Broadcasting Corporation	Phone Number:	202-293-0981
DBA Name:		Fax Number:	
Street:	100 Inverness Terrace East	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112
Attention:	Alison Minea		

30 days "with conditions"




File # SES-STA-20110815-00956  
Call Sign E980005 Grant Date 09/26/2011  
(or other identifier)  
Term Dates  
From 09/27/2011 To 10/26/2011  
Approved: Paul S. Hall

Conditions of Grants: SES-STA-20110815-00956  
Call Sign E980005

EchoStar Broadcasting Corporation (EchoStar) is granted Special Temporary Authority to (1) to perform telemetry, tracking and control ("TT&C") operations while raising and maneuvering the QuetzSat-1, to the 67.1° W.L. orbital location; (2) to perform in-orbit testing of the satellite in the 12.2-12.7 and 17.3-17.8 GHz bands at 67.1° W.L.; and (3) to provide TT&C during the relocation of QuetzSat-1 to 77° W.L. Testing QuetzSat-1 and conducting TT&C operations during orbit raising and maneuvers at 67.1° W.L. and during its relocation to 77° W.L. . QuetzSat-1 satellite will be operated by QuetzSat, a Mexican satellite operator. This authorization is for 30 days, from September 27, 2011 to October, 27, 2011.

1. All operations shall be on an unprotected and non-harmful interference basis, i.e., Intelsat shall not cause harmful interference to, and shall not claim protection from, interference caused to it by any other lawfully operating station.
2. In the event that there is a report of interference, EchoStar must immediately terminate transmissions and notify the FCC in writing.
3. The LEOP operations will be coordinated with all operators of satellites that use the same frequency bands and are in the LEOP path. All operators of satellites in that path will be provided with an emergency phone number where the licensee can be reached in the event that harmful interference occurs.
4. EchoStar must make all reasonable and customary measures to ensure that the earth station does not create a potential for harmful non-ionizing radiation to persons who may be in the vicinity of the earth station when it is in operation. At a minimum, permanent warning labels shall be fixed to the earth station and its housing warning of the radiation hazard and including a diagram showing the regions around the earth station where radiation levels could exceed 1 .0mW/cm2. The earth station operator shall be responsible for assuring that individuals do not stray into the regions around the earth station where there is a potential for exceeding the maximum permissible exposure limits required by 47 C.F.R. §1.1310. This shall be accomplished by means of signs, caution tape, verbal warnings, placement of the earth station so as to minimize access to the hazardous region, and/or other appropriate means.

30 days "with conditions"

 <b>GRANTED</b> International Bureau	File# <u>SES-STA-20110815-00956</u>
	Call Sign <u>E980005</u> Grant Date <u>09/26/2011</u> (or other identifier)
	Term Dates From <u>09/27/2011</u> To: <u>10/26/2011</u>
	Approved: <u>Haw E. [Signature]</u>

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

_____	)	
In the Matter of	)	
	)	File No. SES-STA-2011 _____
<b>ECHOSTAR BROADCASTING CORPORATION</b>	)	Call Sign E980005
	)	
Application for Special Temporary Authority to	)	File No. SES-STA-2011 _____
Operate Its Transmit/Receive Earth Stations to	)	Call Sign E070014
Provide TT&C for, and to Conduct In-Orbit	)	
Testing with, QuetzSat-1, a Mexican Licensed	)	
DBS Satellite, at 67.1° W.L., and to Provide	)	
TT&C During Its Relocation to 77° W.L.	)	
_____	)	

**APPLICATION FOR SPECIAL TEMPORARY AUTHORITY**

By this application, and pursuant to Section 25.120(b)(4) of the Commission's rules,<sup>1</sup> EchoStar Broadcasting Corporation ("EBC") respectfully requests Special Temporary Authority ("STA") for 30 days, commencing on September 13, 2011, to operate two of its transmit/receive earth stations (Call Signs E980005 and E070014) (1) to perform telemetry, tracking and control ("TT&C") operations while raising and maneuvering the Direct Broadcast Satellite ("DBS"), QuetzSat-1, to the 67.1° W.L. orbital location; (2) to perform in-orbit testing of the satellite in the 12.2-12.7 and 17.3-17.8 GHz bands at 67.1° W.L.; and (3) to provide TT&C during the relocation of QuetzSat-1 to 77° W.L. Testing QuetzSat-1 and conducting TT&C operations during orbit raising and maneuvers at 67.1° W.L. and during its relocation to 77° W.L. will ensure that QuetzSat-1 is fully operational and ready to provide service once it arrives at the nominal 77° W.L. orbital location. The proposed maneuvers and testing will not adversely affect the operations of any other spacecraft or other authorized spectrum users.

<sup>1</sup> 47 C.F.R. § 25.120(b)(4).

QuetzSat-1 is scheduled to launch on September 13, 2011. Therefore, EBC requests action on this application by **September 12, 2011**, so that EBC may perform TT&C and test the satellite as set forth herein.<sup>2</sup> For the reasons set forth herein, the grant of this application will not cause harmful interference to any authorized user of the spectrum and would be in the public interest. Accordingly, the Commission should grant the requested STA.

## **I. BACKGROUND**

The QuetzSat-1 satellite will supplement the service provided from the nominal 77° W.L. orbital location under a concession granted by Mexican authorities to QuetzSat, S. de R.L. de C.V. (“QuetzSat”), a Mexican company.<sup>3</sup> QuetzSat has an arrangement with SES Latin America S.A. (“SES-LA”) and SES S.A (collectively, “SES”) to jointly exploit the 77° W.L. slot. QuetzSat-1 will operate under the control of QuetzSat and will provide service over 32 DBS transponders covering the continental United States, Mexico, and Central America. EBC’s affiliate, EchoStar 77 Corporation (“EchoStar 77”), has contracted for the entire DBS service capacity of QuetzSat-1, which EchoStar 77 will make available to its customers, DISH Network

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<sup>2</sup> EBC’s affiliates, EchoStar 77 Corporation (“EchoStar 77”) and DISH Operating L.L.C., have applied to modify their respective blanket earth station licenses, Call Signs E050196 and E090020, to add QuetzSat-1 as a point of communication. *See* File Nos. SES-MFS-20110707-00793 (filed July 7, 2011); SES-MFS-20110707-00792 (filed July 7, 2011) (“Blanket Earth Station Modifications”).

<sup>3</sup> *See* Secretariat of Communications and Transportation Vice-Ministry of Communications, Concesion Para Ocupar La Posicion Orbital Geoestacionaria 77° Oeste Asignada al Pais y Explotar Sus Respectivas Bandas de Frecuencias 12.2 – 12.7 GHz y 17.3-17.8 GHz, Asi como los Derechos de Emision y Recepcion de Señales (granted February 2, 2005) (“77° W.L. BSS Concession”), filed in File No. SAT-STA-20080311-00068 (English translation).

L.L.C. (“DISH Network”) and DISH Mexico, for Direct-to-Home (“DTH”) television service in the United States and similar services in Mexico.<sup>4</sup>

On July 7, 2011, EchoStar 77 and DISH Operating L.L.C. (a direct subsidiary of DISH Network) filed applications to modify their respective blanket earth station authorizations (Call Signs E050196 and E090020) in order to add QuetzSat-1 as a point of communication at the nominal 77° W.L. orbital location.<sup>5</sup> Additionally, both asked the Commission to waive Sections 25.215 and 25.210(i)(1) of the Commission’s rules to permit QuetzSat-1 to be operated with less than 30 dB cross-polarization isolation over certain regions. EchoStar 77 and DISH Operating L.L.C. demonstrated that granting the Blanket Earth Station Modifications would serve the public interest, would not cause any harmful interference, and would be fully consistent with the Commission’s policies governing the provision of services to the United States from a foreign-licensed satellite.<sup>6</sup> EBC is now applying for STA to operate its transmit/receive earth stations in order to test the satellite at 67.1° W.L. and to maneuver the satellite to 67.1° W.L. and again during its relocation to 77° W.L.

## **II. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST**

The Commission has a long-standing policy of granting STA where such authorization will not cause harmful interference and will serve the public interest, convenience, and

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<sup>4</sup> Redacted and confidential copies of the agreements between (1) EchoStar 77 and SES-LA, and (2) EchoStar 77 and DISH Network were provided in the Blanket Earth Station Modifications as Attachments 1A and 1B, respectively. Hard copies of the confidential, unredacted agreements are also on file with the Commission. *See* Blanket Earth Station Modifications.

<sup>5</sup> *See* Blanket Earth Station Modifications.

<sup>6</sup> *See id.*

necessity.<sup>7</sup> The requested operations meet both of these tests. The Commission has also recognized the benefits to the public interest, convenience, and necessity of granting STA to allow in-orbit testing at locations different from those authorized, subject to coordination with neighboring satellites.<sup>8</sup> Moreover, as the Commission has previously found, deployment of new DBS capacity serves the public interest, convenience, and necessity.<sup>9</sup>

Consistent with the Commission's well-settled precedent, grant of this STA request will serve the public interest by ensuring that the new DBS satellite is fully operational before commencing service. Neither moving QuetzSat-1 to 67.1° W.L. nor testing it at that slot or moving it to 77° W.L. will cause harmful interference to any other spacecraft or authorized user of the spectrum. While the satellite is raised and moved to 67.1°, and again while it is moved to 77° W.L., all transponders (other than the TT&C beacons) on the satellite will be turned off. In addition, testing of QuetzSat 1 at 67.1° W.L. has been coordinated and will follow guidelines to avoid interference with nearby DBS satellites. EBC controls both EchoStar 15 at 61.55° W.L. and EchoStar 12 at 61.35° W.L. and will ensure that operations under this STA do not interfere with the operations of those satellites. DIRECTV 1R at 72.5° W.L., licensed to Liberty Media Corporation, and Nimiq 5 at 72.7° W.L., licensed to Telesat Canada Ltd., are the only other DBS satellites operating within six degrees of the testing location. EBC has a long history of

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<sup>7</sup> See, e.g., *Newcomb Communications, Inc., Order and Authorization*, 8 FCC Rcd. 3631, 3633 (1993); *Columbia Communications Corp., Order*, 11 FCC Rcd. 8639, 8640 (1996); *American Telephone & Telegraph Co., Order*, 8 FCC Rcd. 8742 (1993).

<sup>8</sup> See *In the Matter of INTELSAT LLC*, 16 FCC Rcd. 16208 (2001) (“[A] grant of Special Temporary Authority to conduct in-orbit testing...at the 58.5 E.L. orbital location, instead of [licensee’s] authorized 62 E.L. location, will serve the public interest....The Commission typically allows licensees to conduct in-orbit testing at orbit locations different from those authorized, subject to coordination with affected adjacent satellite operators.”); see also *In re Application of EchoStar Satellite Corp.*, 15 FCC Rcd. 12609 (2000).

<sup>9</sup> See, e.g., *In the Matter of DIRECTV Enterprises*, 14 FCC Rcd. 13159 (1999).

coordination with these operators, and will abide by existing and future coordination agreements as they relate to operations under this STA.

The requested STA serves the public interest, as it will allow the QuetzSat-1 satellite to be safely maneuvered to, and tested at, the 67.1° W.L. orbital location, and then again moved to its permanent home at 77° W.L. The in-orbit testing will ensure proper operation of the satellite prior to bringing the satellite into service, thereby avoiding any subsequent service interruption. Upon completion of testing, QuetzSat-1 will be relocated to the nominal 77° W.L. orbital location, where it will make available DTH service.

### **III. SECTION 304 WAIVER**

In accordance with Section 304 of the Communications Act of 1934, 47 U.S.C. § 304, EBC hereby waives any claim to the use of any particular frequency of the electromagnetic spectrum 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 a 30-day STA, commencing on September 13, 2011, to operate two of its transmit/receive earth stations (Call Signs E980005 and E070014) to perform TT&C and in-orbit testing with QuetzSat-1 as described herein.

During the orbital raising of QuetzSat-1 to 67.1° W.L. and during the move to 77° W.L., all transponders other than the TT&C transponders will be switched off, and EBC will operate its earth stations subject to the following conditions:

1. No harmful interference will be caused to any lawfully operating satellite network or radio communication system, and EBC's operations will cease immediately upon notification of harmful interference. Furthermore, EBC shall notify the Commission immediately, in writing, of any such event.





**2. Contact**

<b>Name:</b>	Pantelis Michalopoulos	<b>Phone Number:</b>	202-429-6494
<b>Company:</b>	Stephoe & Johnson LLP	<b>Fax Number:</b>	202-429-3902
<b>Street:</b>	1330 Connecticut Ave. NW	<b>E-Mail:</b>	pmichalopoulos@stephoe.com
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<b>Country:</b>	USA	<b>Zipcode:</b>	20036 -1795
<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?

- 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 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.) EchoStar Broadcasting Corporation seeks Special Temporary Authority to operate its transmit/receive earth station, E980005, to provide TT&C for, and to conduct in-orbit testing with, QuetzSat-1, a Mexican licensed satellite, at 67.1 W.L., and to provide TT&C during its relocation to 77 W.L. See attached narrative.	
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"; party to the application; for these purposes. <input checked="" type="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing Alison Minea	15. Title of Person Signing Corporate 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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