

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
STA to Communicate with Ciel−2 (E970394)

1. 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:	Ms Alison Minea		

SES-STA-20110915-01086
E970394
Call Sign _____ Grant Date 9-15-11
(or other identifier) _____
From 9-14-11 Term Date 9-24-11
Appr: Paul E. Glas
With Conditions



GRANTED
International Bureau

Conditions of Grant

EchoStar Broadcasting Corporation


SES-STA-20110915-01086

Call Sign E970394

The application requesting special temporary authority to permit the earth station with the above-captioned call sign to communicate with the Ciel-2 satellite outside the +/-0.05° east/west station-keeping box previously authorized for such communications is granted for the period commencing September 14 through September 24, 2011, subject to the following conditions:

1. All operations shall be on an unprotected and non-harmful interference basis. Earth stations operation shall not cause harmful interference to, and shall not claim protection from interference caused by, any other lawfully operating station.
2. This authorization shall be in accordance with all the other technical specifications set forth in the current earth station authorization for this call sign, as well as in Federal Communication Commission rules.
3. In the event of any harmful interference to other lawfully operating space stations or radio communications systems, EchoStar Broadcasting Corporation shall inform the Commission, in writing, immediately of such an event.
4. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at EchoStar Broadcasting Corporation's own risk.
5. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately.

SES-STA-20110915-01086

	Call Sign <i>E970394</i>	Grant Date <i>9-16-11</i>
(or other identifier)	From <i>EA-N-11</i>	To <i>9-24-11</i>
GRANTED	Approved <i>Charles Hines</i>	
International Bureau		

2. Contact	
Name: Christopher Bjornson	Phone Number: 202-429-3059
Company: Steptoe & Johnson LLP	Fax Number: 202-429-3902
Street: 1330 Connecticut Avenue, NW	E-Mail: cbjornson@steptoe.com
City: Washington, D.C.	State: DC
Country: USA	Zipcode: 20036 -
Attention: Chris Bjornson	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 SESMFS2008092601244 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 09/15/2011	
7. City	8. Latitude (dd mm ss.s h) 0 0 0.0

9. State	10. Longitude (dd mm ss.s h) 0 0 0.0
11. Please supply any need attachments. Attachment 1: STA Justification 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: 10px 0;">STA for DISH Operating L.L.C. and EchoStar Broadcasting Corporation to communicate with the Ciel&#8722;2 satellite while it is outside its station&#8722;keeping limits.</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 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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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	File No. SES-STA-_____ - _____
)	
DISH OPERATING L.L.C. AND)	Call Sign E050029
ECHOSTAR BROADCASTING CORPORATION)	Call Signs E950288, E970394, E980178
)	
Application for Emergency Special)	
Temporary Authority to Allow ^w)	
Communications with the Ciel-2 Satellite)	
Outside of Its Station-keeping Limits)	
)	

APPLICATION FOR EMERGENCY SPECIAL TEMPORARY AUTHORITY

Pursuant to Sections 25.120(a) and 25.120(b) of the Commission's rules,¹ DISH

Operating L.L.C. ("DISH") and EchoStar Broadcasting Corporation ("EchoStar") hereby request emergency Special Temporary Authority ("STA") to permit communications with the Ciel-2 satellite licensed by Canada to Ciel Satellite Communications ("Ciel"), an affiliate of SES New Skies (with Ciel, "SES"), outside of its station-keeping limits for a period of ten days while the satellite is returned to its Canadian-licensed 128.85° W.L. orbital location (plus or minus 0.05 degrees for station-keeping) in order to correct an excursion that was beyond DISH's or EchoStar's control.

As the Commission is aware, DISH's affiliate, DISH Network L.L.C. ("DISH Network"), provides Direct Broadcast Satellite ("DBS") service to consumers through DISH's blanket earth

¹ 47 C.F.R. § 25.120(a), (b).

station authorization to communicate with the Ciel-2 satellite.² EchoStar, for its part, holds feeder link earth station authorizations to communicate with Ciel-2.³

During the evening of Tuesday, September 13, 2011, an operational problem at the Canadian satellite Ciel-2 ground control station, located in Canada, caused the satellite to lose earth pointing. This, in turn, resulted in the disruption of service to some DISH Network DBS subscribers. Service has since been restored. But DISH and EchoStar have been informed by SES that the process of restoring the satellite with the correct orbital attitude parameters caused the satellite to drift west. SES is expected to cause the satellite's drift to stop at 129.2° W.L. on September 15, 2011. SES will then cause the satellite to drift back to the nominal station-keeping box at 128.85° W.L. +/- 0.05°, a drift that it expects to complete by Monday, September 19, 2011. DISH and EchoStar understand that at no time did the satellite veer outside the 128.8°-129.2° W.L. orbital cluster allotted to Canada under the International Telecommunication Union's Region 2 Broadcasting-Satellite Service Plan.

Nevertheless, although the satellite is not licensed to either of them, DISH and EchoStar request this STA because their market access and earth station authorizations are conditioned on Ciel-2 being operated within +/- 0.05° of the 128.85° W.L. orbital location. According to the authorizations, "Ciel shall not operate the Ciel-2 satellite outside of these station-keeping limits without further authorization."⁴ STA to permit continued communications with Ciel-2 is warranted because there is nothing DISH or EchoStar could have done to prevent this event from

² DISH Operating L.L.C., Call Sign E050029.

³ EchoStar Broadcasting Corporation, Call Sign E950288; EchoStar Broadcasting Corporation, Call Sign E970394; EchoStar Broadcasting Corporation, Call Sign E980178.

⁴ DISH Operating L.L.C., Call Sign E050029, Condition 491; EchoStar Broadcasting Corporation, Call Sign E950288, Condition 491; EchoStar Broadcasting Corporation, Call Sign E970394, Condition 491; EchoStar Broadcasting Corporation, Call Sign E980178, Condition 491.

occurring, and the STA will permit continued service with no further expected disruptions to DISH Network customers while the orbital maneuvers are being executed to return the satellite to the 128.85° W.L. nominal orbital location. The STA could not have been requested earlier than today as the satellite's orbital parameters and drift were not reported to DISH and EchoStar until the morning of Wednesday, September 14, 2011.⁵

The requested authority will cause no harmful interference to other satellites, because the maximum excursion of the Ciel-2 satellite to the 129.2° W.L. orbital location and its drift back to 128.85° W.L. will only mean a slightly greater spatial separation from the nearest DBS satellite, which is located at 119.1° W.L. With respect to collision risk and space debris mitigation, the closest adjacent satellite to the Ciel-2 satellite is AMC 11 at 131° W.L and Galaxy 13 at 127° W.L., and therefore the requested authority poses no risk for another spacecraft.

In conclusion, DISH and EchoStar request that STA be granted for a period of ten days, until (and including) September 23, 2011, to permit communications with the Ciel-2 satellite while it drifts back to within its station-keeping limits for its licensed 128.85° W.L. orbital location.

Respectfully submitted,

/s/

Pantelis Michalopoulos
Christopher Bjornson
Stephote & Johnson LLP
1330 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 429-3000

*Counsel for EchoStar Broadcasting
Corporation and DISH Operating L.L.C.*

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September 14, 2011

⁵ See 47 C.F.R. § 25.120(a).