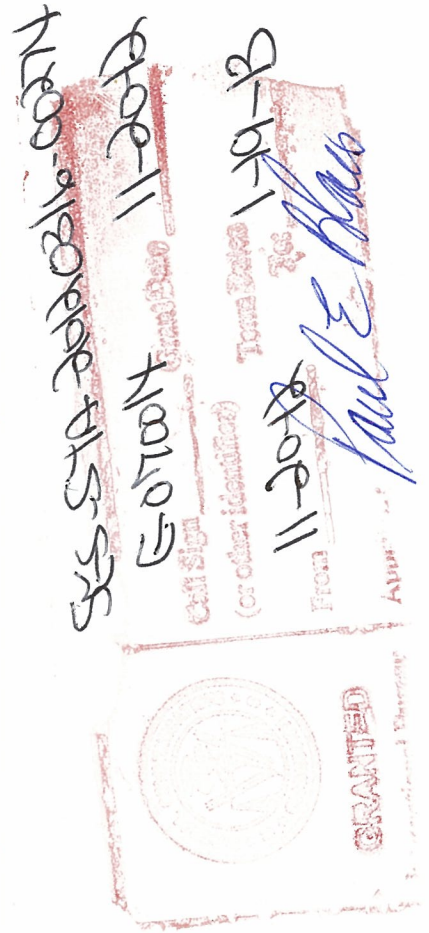


APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
EchoStar Broadcasting Corporation seeks Special Temporary Authority to operate its earth station, E070014, with the EchoStar 16 satellite during launch and testing of the satellite.

I. Applicant

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



Conditions:

Applicant: ECHOSTAR HOLDING PURCHASING CORPORATION (EchoStar)

File Number: SES-STA-20120316-00274

Call Sign: E070014

EchoStar is authorized, for a period of 60 days, (1) to perform telemetry, tracking, and control ("TT&C") operations while raising and maneuvering the Direct Broadcast Satellite ("DBS"), EchoStar 16, to the 67.1° W.L. orbital location; (2) to test the satellite at that location in the 12.2-12.7 and 17.3-17.8 GHz bands; and (3) upon completion of in-orbit testing, to provide TT&C during the relocation of EchoStar 16 to 61.5° W.L. EchoStar is also authorized to conduct tracking, telemetry and command (TT &C) operations using the following center frequencies during IOT at the 67.1° W .L. orbital location and during the drift of EchoStar 16 to its authorized location of 61.5° W .L.: 17.307 GHz and 17.7955 GHz (Earth-to-space); and 12.694 GHz, 12.695 GHz, 12.6965 GHz, and 12.6975 GHz (space-to-Earth). Operations under this authorization are subject to the terms, conditions, and technical specifications set forth in EchoStar's Application and the Federal Communications Commission's rules, and are subject to the conditions set forth below.

Conditions:

1. All operations under this grant of special temporary authority shall be on an unprotected and non-harmful interference basis. EchoStar shall not cause harmful interference to, and shall not claim protection from interference caused to it by, any other lawfully operating radio communication system.
2. In the event of any harmful interference as a result of operations under this grant of special temporary authority, EchoStar shall cease operations immediately upon notification of such interference and shall immediately inform the Commission, in writing, of such an event.
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. Operations while at 67.1° W.L. shall be limited to IOT and shall not include the provision of commercial services.
5. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.

SES-STA 20120316-00274  
E070014  
Call Sign E070014 Grant Date 11-20-12  
(or other identifier)  
Term Dates  
From 11-20-12 To 1-19-13  
Approved Paul E Hays

GRANTED

<b>2. Contact</b>	
<b>Name:</b>	Pantelis Michalopoulos
<b>Company:</b>	Step toe & Johnson LLP
<b>Street:</b>	1330 Connecticut Ave. NW
<b>City:</b>	Washington
<b>Country:</b>	USA
<b>Attention:</b>	
<b>Phone Number:</b>	202-429-6494
<b>Fax Number:</b>	202-429-3902
<b>E-Mail:</b>	pmichalopoulos@steptoe.com
<b>State:</b>	DC
<b>Zipcode:</b>	20036 -1795
<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 Gilbert	
8. Latitude (dd mm ss.s h) 33 22 0.8 N	

9. State AZ	10. Longitude (dd mm ss.s h) 11 48 54.7 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, E070014, to provide TT&C while raising and maneuvering and to conduct in-orbit testing with, EchoStar, at 67.1 W.L., and to provide TT&C during its relocation to 61.5 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"; for these purposes. Yes <input checked="" type="radio"/> No <input type="radio"/>	
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).	

**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [PRA@fcc.gov](mailto:PRA@fcc.gov). PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

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

---

	)	
	)	
In the Matter of	)	
	)	
<b>ECHOSTAR BROADCASTING CORPORATION</b>	)	File No. SES-STA-2012 _____ - _____
	)	Call Sign E070014
Application for Special Temporary Authority	)	
to Operate Its Transmit/Receive and	)	File No. SES-STA-2012 _____ - _____
Feeder Link Earth Stations to Raise and	)	Call Sign E980005
Test the EchoStar 16 Satellite at 67.1° W.L.,	)	
and Subsequently to Move EchoStar 16 to	)	
61.5° W.L.	)	

---

**APPLICATION FOR SPECIAL TEMPORARY AUTHORITY**

**I. INTRODUCTION AND SUMMARY**

EchoStar Broadcasting Corporation (“EBC”) respectfully requests 60-day Special Temporary Authority (“STA”), commencing on or about July 20, 2012, to permit EBC to operate two of its transmit/receive earth stations (Call Signs E070014 and E980005) (1) to perform telemetry, tracking, and control (“TT&C”) operations while raising and maneuvering the Direct Broadcast Satellite (“DBS”), EchoStar 16, to the 67.1° W.L. orbital location; (2) to test the satellite at that location in the 12.2-12.7 and 17.3-17.8 GHz bands; and (3) upon completion of in-orbit testing, to provide TT&C during the relocation of EchoStar 16 to 61.5° W.L. EBC’s sister company, EchoStar Satellite Operating Corporation (“ESOC”), has already filed an application to launch EchoStar 16 and operate it at the 61.5° W.L. orbital location.<sup>1</sup> Concurrently with this application, ESOC is submitting applications for STA (1) to raise

---

<sup>1</sup> See File No. SAT-LOA-20110902-00172, Call Sign S2844 (filed Sept. 2, 2011).

EchoStar 16 to 67.1° W.L. and test it at that location, and (2) to relocate EchoStar 16 to 61.5° W.L. upon the completion of testing.

Testing EchoStar 16 and conducting TT&C operations during orbit raising and maneuvers at 67.1° W.L. and during its relocation to 61.5° W.L. will ensure that EchoStar 16 is fully operational and ready to provide service once it arrives at 61.5° W.L. The proposed maneuvers and testing will not adversely affect the operations of any other spacecraft or other authorized spectrum users. EchoStar 16 is scheduled to launch around July 20, 2012, and EBC requests action on this request by that date.

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

The Federal Communications Commission (“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 necessity.<sup>2</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>3</sup> Moreover, as the Commission has previously found, deployment of new DBS capacity serves the public interest, convenience, and necessity.<sup>4</sup>

---

<sup>2</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>3</sup> See INTELSAT LLC, *Order and Authorization*, 16 FCC Rcd. 16208 ¶ 8 (2001) (“[A] grant of Special Temporary Authority to conduct in-orbit testing . . . at the 58.5° E.L. orbital location, instead of [the 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 EchoStar Satellite Corp., *Order and Authorization*, 15 FCC Rcd. 12609 (2000).

<sup>4</sup> See, e.g., DIRECTV Enterprises, *Order and Authorization*, 14 FCC Rcd. 13159 (1999).

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. Raising EchoStar 16 to 67.1° W.L., testing it at that location, and then relocating it to 61.5° W.L. will not cause harmful interference to any other spacecraft or authorized user of the spectrum. Testing of EchoStar 16 at 67.1° W.L. has been coordinated and will follow guidelines to avoid interference with nearby DBS satellites. While the satellite is raised and moved to 67.1° W.L., and again while it is moved to 61.5° W.L., all transponders (other than the TT&C beacons) on the satellite will be turned off.

While the satellite is at 67.1° W.L., EBC will ensure that operations do not cause harmful interference to any nearby satellite. EBC's affiliate, ESOC, controls EchoStar 3 at 61.45° W.L., EchoStar 12 at 61.35° W.L., and EchoStar 15 at 61.55° W.L., and EBC will ensure that operations under this STA do not interfere with the operations of those satellites. Additionally, pursuant to an agreement between SES Latin America S.A. and SES S.A. (collectively, "SES") and EBC's affiliate, QuetzSat, S. de R.L. de C.V., SES currently controls QuetzSat-1 at 67.1° W.L.; EBC, however, expects that QuetzSat-1 will be moved from 67.1° W.L. before EchoStar 16 is launched this Summer.<sup>5</sup> Finally, Nimiq 5 at 72.7° W.L., licensed to Telesat Canada Ltd., is the only other DBS satellite operating within six degrees of the testing location. The entire broadcast satellite service capacity of Nimiq 5 is leased to ESOC, and EBC will ensure that operations under this STA do not interfere with Nimiq 5's operations.

The requested STA also serves the public interest, as it will allow the EchoStar 16 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 61.5° W.L. The in-orbit testing will ensure proper operation of

---

<sup>5</sup> See File Nos. SES-STA-20111021-01250, SES-STA-20111021-01251, Call Signs E980005 and E070014 (filed Sept. 21, 2011).



the satellite prior to bringing the satellite into service, thereby minimizing the potential for future service interruptions. Upon its relocation to 61.5° W.L., EchoStar 16 will be available to provide DBS service to the public.

### **III. OPERATING PARAMETERS**

During the orbital raising of EchoStar 16 at 67.1° W.L. and during the move to 61.5° 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. EBC will accept interference from any lawfully operating satellite network or radio communication system.

In addition, during in-orbit testing, EBC will operate its earth stations subject to the following conditions:

1. EBC will not cause harmful interference to, and will not claim protection from interference caused by, any other lawfully operating satellites or radiocommunications systems.
2. Upon notification of any harmful interference, EBC will cease its test operations immediately. In addition, EBC will inform the Commission in writing that it has received such a notification.

### **IV. 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 or of the electromagnetic spectrum because of the previous use of the same, whether by license or otherwise.

### **V. CONCLUSION**

For the foregoing reasons, EBC respectfully requests the grant of a 60-day STA, commencing on or about July 20, 2012, to operate two of its transmit/receive earth stations (Call

Signs E070014 and E980005) to launch and raise EchoStar 16 to, and conduct testing at, 67.1° W.L., and then to relocate EchoStar 16 to 61.5° W.L.

Respectfully submitted,

/s/

Pantelis Michalopoulos  
Stephanie A. Roy  
Andrew W. Guhr  
Steptoe & Johnson LLP  
1330 Connecticut Avenue N.W.  
Washington, D.C. 20036  
(202) 429-3000  
*Counsel for EchoStar Broadcasting  
Corporation*

Alison Minea  
Corporate Counsel  
**EchoStar Broadcasting Corporation**  
1110 Vermont Avenue NW, Suite 750  
Washington, DC 20005  
(202) 293-1216

March 14, 2012