

IB2012001822

SES-STA-20120803-00713

E110149

HNS License Sub, LLC

Approved by OMB  
3060-0678

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
August 2012 Request for 60-Day Pre-Grant Special Temporary Authority for E110149

1. Applicant

Name:	HNS License Sub, LLC	Phone Number:	301-428-5506
DBA Name:		Fax Number:	301-428-2802
Street:	11717 Exploration Lane	E-Mail:	Steven.Doiron@hughes.com
City:	Germantown	State:	MD
Country:	USA	Zipcode:	20876
Attention:	Mr. Steven Doiron		



File # SES-STA-20120803-00713

Call Sign E110149 Grant Date 8/3/2012  
(or other identifier)

Term Dates

From 8/5/2012 To: 9/30/2012

Approved: Paul E. Haeb

HNS License Sub LLC  
E110149  
SES-STA-20120803-00713  
Special Temporary Authority

HNS License Sub LLC is authorized, from on August 5, 2012 to September 30, 2012 to utilize the earth stations that are authorized under Call Sign E110149, and proposed in pending modification application SES-MFS-20120426-00395 to operate with the U.S.-licensed EchoStar XVII, Call sign S2753, (formerly known as Jupiter 1/Spaceway 4) satellite at the 107.1° W.L. orbital location under the following conditions.

- 1) All operations under the requested STA will be within the technical parameters specified in SES-LIC-20111021-01243 and SES-MFS-20120426-00395 with the exception that the terminals may not operate in the 29.25-29.3 GHz band.
- 2) All operations shall not cause harmful interference to, and shall not claim protection from, interference caused to it by any other lawfully operating station and it shall cease transmission(s) immediately upon notice of such interference.
- 3) HNS License Sub LLC must submit a list of all station locations by latitude and longitude and site contact information for each site.
- 4) Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending SES-MFS-20120426-00395 application.
- 5) Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at HNS License Sub LLC risk.
- 6) 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.



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Call Sign E110149 Grant Date 8/3/2012  
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Term Dates  
From 8/5/2012 To: 9/30/2012

Approved: Paul E. Blair

<b>2. Contact</b>			
<b>Name:</b>	Stephen D. Baruch	<b>Phone Number:</b>	202-429-8970
<b>Company:</b>	Lerman Senter PLLC	<b>Fax Number:</b>	202-492-2993
<b>Street:</b>	2000 K Street NW Suite 600	<b>E-Mail:</b>	sbaruch@lermansenter.com
<b>City:</b>	Washington	<b>State:</b>	DC
<b>Country:</b>	USA	<b>Zipcode:</b>	20006 -
<b>Attention:</b>	Stephen D. Baruch	<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 SESMFS2012042600395 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 checked="" type="radio"/> Use Prior to Grant <input type="radio"/> Change Station Location <input type="radio"/> Other			
6. Requested Use Prior Date 08/05/2012			
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: Narrative Exhibit 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.) See 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 Steven Doiron	15. Title of Person Signing Senior Director, Regulatory Affairs
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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**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.**

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

**Call Sign: E110149**

HNS License Sub, LLC (“Hughes”) hereby requests Special Temporary Authority (“STA”) beginning on August 5, 2012, and continuing for 60 days thereafter (to October 4, 2012) to utilize all of the blanket-licensed earth station antennas authorized under Call Sign E110149 and proposed in pending modification application File No. SES-MFS-20120426-00395 to operate with the U.S.-licensed EchoStar XVII satellite at the 107.1° W.L. orbital location on a pre-grant basis, including for in-orbit testing purposes. While all of the earth stations would be established and utilized, and will be within the technical parameters specified for the blanket-licensed antennas on Hughes’s license under Call Sign E110149, Hughes will limit its use under this STA request to all authorized bands other than the 29.25-29.3 GHz band. In this respect, Hughes’s proposed STA is consistent in full with its June 22, 2012 letter requesting a grant in part and deferral in part of the modification application. *See* Letter dated June 22, 2012, from Stephen D. Baruch to Secretary, FCC in File No. SES-MFS-20120426-00395 (“Partial Grant Letter”).<sup>1</sup>

Hughes’s application for permanent authority to utilize the antennas under Call Sign E110149 to communicate with EchoStar XVII, as supplemented by the Partial Grant Letter, is pending. There are unresolved interference issues with respect only to the 29.25-29.3 GHz frequency segment to be used at various continental U.S. (“CONUS”) locations, as the frequency

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<sup>1</sup> This STA request does not replace the STA request in File No. SES-STA-20120626-00616, where the Commission authorized Hughes to operate its North Platte, NE gateway earth station under Call Sign E110149 on all frequencies in the current license to facilitate in-orbit testing of the EchoStar XVII satellite that was recently launched by Hughes’s parent company. That STA would run its course – which expires on September 19, 2012 (unless otherwise extended).

segment overlaps with spectrum ostensibly utilized by the Iridium mobile-satellite service system from a Tempe, AZ earth station.

The underlying issue raised by Iridium will need to be addressed in one way or another before Hughes can begin permanent use of the 29.25-29.3 GHz segment for its gateway operations. Resolution of the Iridium issue is not required, however, for operation of the gateway earth stations under Call Sign E110149 on all frequency segments *other than* the 29.25-29.3 GHz, as requested here and in the Partial Grant Letter.

The Commission has determined that in-orbit testing of a newly-launched satellite constitutes extraordinary circumstances that require temporary operations in the public interest. *See DirecTV Enterprises, LLC*, DA 10-113, slip op. at 4 (Sat. Div., released January 21, 2010). IOT testing using all of the gateway stations will commence on August 5, 2012, and denying such authority because of a pending objection that is inapposite to the proposed use would clearly be contrary to the public interest. The requested STA will also serve the public interest by ensuring that Hughes' EchoStar XVII satellite can begin to make productive use of the valuable spectrum and orbital resources as soon as possible. Adding new Ka-band fixed-satellite service capacity for the provision of commercial services to customers in the United States is very much in the public interest.

Because Hughes has not only a pending application to access EchoStar XVII from the same antennas as a U.S.-licensed satellite, but a license to use the same earth station antennas to communicate with the exact same satellite under a different flag for service to the United States, a 60-day term is appropriate. *See* 47 C.F.R. § 25.120(b)(3).

To avoid *ex parte* issues that result from the reference to the Iridium issues in File No. SES-MFS-20120426-00395, Hughes will provide an electronic copy of the instant STA request to Iridium.

In sum, and in the event that the Commission has not granted the modification application as supplemented by the Partial Grant Letter prior to August 5, 2012, Hughes respectfully requests authority to operate the antennas authorized under Call Sign E110149 on all proposed frequencies other than the 29.25-29.3 GHz band segment for 60 days starting August 5, 2012 and ending on October 4, 2012.