

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

	) File No. SES-STA-20121010-00914
	) File No. SES-STA-2012____ - _____
In the Matter of	) Call Sign E050017
	)
<b>ECHOSTAR BROADCASTING CORPORATION</b>	) File No. SES-STA-20121010-00912
	) File No. SES-STA-2012____ - _____
Application for Renewal of Special	) Call Sign E070273
Temporary Authority to Operate Three	)
Transmit/Receive Earth Stations with	) File No. SES-STA-20121010-00913
EchoStar 6 at 76.95° W.L.	) File No. SES-STA-2012____ - _____
	) Call Sign E980081
	)

**APPLICATION FOR RENEWAL OF 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” and collectively with its affiliates, “EchoStar”) requests renewal of its special temporary authority (“STA”) to operate three earth stations with the EchoStar 6 satellite at 76.95° W.L. for 30 days 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. The current STAs for each of the earth stations expire on November 17, 2012.<sup>2</sup>

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

<sup>2</sup> See Stamp Grant, File Nos. SES-STA-20121010-00914, Call Sign E050017 (granted Oct. 18, 2012); SES-STA-20121010-00912, Call Sign E070273 (granted Oct. 18, 2012); SES-STA-20121010-00913, Call Sign E980081 (granted Oct. 18, 2012).

EchoStar 6 arrived at the 76.95° W.L. orbital location on February 13, 2011, and began providing service on February 14, 2011.<sup>3</sup> The relocation was prompted by a single event upset (“SEU”) that temporarily affected the EchoStar 8 satellite.<sup>4</sup> On March 14, 2011, EchoStar filed an application to transfer EchoStar 6 to QuetzSat, S. de R.L. de C.V. (“QuetzSat”), intending to operate the satellite under Mexican authority from the 76.95° W.L. orbital location.<sup>5</sup> EchoStar also filed an application (“Blanket Earth Station Application”) to modify its blanket earth station authorization to receive service from the Mexican-licensed EchoStar 6 satellite.<sup>6</sup> After consultation with the Commission and in light of the satellite’s limited remaining life, EchoStar has concluded that the reflagging is no longer necessary, and therefore has withdrawn its reflagging application, and expects to operate EchoStar under U.S. authority for its remaining life.<sup>7</sup> The Mexican concessionaire for the 77° W.L. orbital location has informed COFETEL of

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<sup>3</sup> See Stamp Grant, File Nos. SAT-STA-20110207-00026 (granted Feb. 11, 2011); SAT-STA-20110225-00036 (granted Mar. 1, 2011); SAT-STA-20110401-00067 (granted Apr. 7, 2011); SAT-STA-20110608-00104 (granted June 14, 2011).

<sup>4</sup> 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).

<sup>5</sup> 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).

<sup>6</sup> 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 (filed Mar. 14, 2011) (requesting modifications to the referenced earth station licenses). These applications were filed subject to the proposed *pro forma* assignment of the earth station licenses to EBC. These *pro forma* assignments were consummated on May 26, 2011. See Letter from Pantelis Michalopoulos, Counsel for EchoStar Corporation and EchoStar Broadcasting Corporation, to Marlene H. Dortch, Secretary, FCC, File Nos. SES-ASG-20110228-00561, SES-ASG-20110228-00562, SES-ASG-20110228-00554 (June 3, 2011).

<sup>7</sup> See File No. SES-STA-20120924-00153 (filed Sept. 24, 2012).

this plan, and EchoStar understands that COFETEL has no objection to the continued operations of the EchoStar 6 satellite in the 77° W.L. cluster under Commission authority.

## **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, two other EchoStar Direct Broadcast Satellites (“DBS”) currently operate at the nominal 77° W.L. orbital location under Mexican authority issued to EBC’s partner, QuetzSat: EchoStar 1 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).<sup>8</sup>

## **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<sup>9</sup> and the Blanket Earth Station Application, which are incorporated herein by reference. Furthermore, grant of this application will ensure the continued safe operation of

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<sup>8</sup> EchoStar has a pending application to use two of its earth stations (Call Signs E080120 and E020306) to provide TT&C for EchoStar 6 at 76.95° W.L. *See* File Nos. SES-STA-20121012-00920 (filed Oct. 12, 2012), SES-STA-20121012-00919 (filed Oct. 12, 2012). Upon grant of these two pending applications, EchoStar will no longer require STA for two of its earth stations (Call Signs E980081 and E050017).

<sup>9</sup> *See* Stamp Grant, File No. SAT-STA-20110525-00098 (granted May 27, 2011) (granting EBC’s sister company, EchoStar Satellite Operating Corporation, STA to operate the EchoStar 6 satellite at 76.95° W.L.) (“Satellite STA Application”).

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 STA grant.<sup>10</sup>

### **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 renewal of its 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.

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

Respectfully submitted,

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