

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
Renewal of Special Temporary Authority to Operate Call Sign E070273 with, and Provide TT&C for, EchoStar 6 at 76.95 W.L.

1. Applicant

Name: EchoStar Holding Purchasing Corporation **Phone Number:** 202-293-0981
DBA Name: **Fax Number:**
Street: PO Box 2390 **E-Mail:**
City: Germantown **State:** MD
Country: USA **Zipcode:** 20875
Attention: Ms Alison Minea



Applicant: EchoStar Broadcasting Corporation
File Number: SES-STA-20121114-01019
Call Sign: E070273
Special Temporary Authority (STA)

EchoStar Broadcasting Corporation is granted STA for a 30-day extension with the same operating conditions included in the previously granted STA under file number SES-STA-20121010-00912 as a continuation from the originally granted STA SES-STA-20110225-00203. This authorization shall be in accordance with the technical specifications set forth in EchoStar's pending application file number SES- MFS-20110314-00289 and the Commission's rules.

Pursuant to Section 1.62 of the Commission's rules, 47 C.F.R. § 1.62, continued operation of this station with EchoStar 6 at 76.95° WL under previously granted STA file number SES-STA-20121010-00912 with grant date of October 18, 2012 continued in effect until grant of this authorization.



SES-STA-20121114-01019

E070273

Call Sign E070273 Grant Date 11-19-12

(or other identifier)

From 11-19-12 Term Expires 12-19-12

Michael E. Haeber

2. Contact			
Name:	Pantelis Michalopoulos	Phone Number:	202-429-6494
Company:	Step toe & Johnson LLP	Fax Number:	
Street:	1330 Connecticut Avenue NW	E-Mail:	pmichalopoulos@steptoe.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036 -
Attention:		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 SESSTA2012101000912 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 Quicksburg		8. Latitude (dd mm ss.s h) 38 43 24.3 N	

9. State	VA	10. Longitude (dd mm ss.s h)	78 40 0.2 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.)			
<div style="border: 1px solid black; padding: 5px;"> <p>EchoStar Broadcasting Corporation requests renewal of its Special Temporary Authority to operate its transmit/receive earth station to provide TT&C for EchoStar 6 at 76.95 W.L. See attached narrative.</p> </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.			
14. Name of Person Signing		15. Title of Person Signing	
Alison Minea		Corporate Counsel	
<p>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).</p>			

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

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

By this Application, and pursuant to Section 25.120(b)(4) of the Commission's rules,¹ 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, 2012.²

¹ See 47 C.F.R. § 25.120(b)(4).

² 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, 2011.³ The relocation was prompted by a single event upset (“SEU”) that temporarily affected the EchoStar 8 satellite.⁴ 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.⁵ 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.⁶ 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.⁷ The Mexican concessionaire for the 77° W.L. orbital location has informed COFETEL of

³ 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).

⁴ 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).

⁵ 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).

⁶ 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).

⁷ 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).⁸

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 Application⁹ and the Blanket Earth Station Application, which are incorporated herein by reference. Furthermore, grant of this application will ensure the continued safe operation of

⁸ 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).

⁹ *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.¹⁰

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.

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

