

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
60-day Special Temporary Authority to Operate Call Sign E980081 with EchoStar 16 at the 61.5 W.L. orbital location.

I. 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



File # SES-STA-20130108-00023  
Call Sign E980081 Grant Date 1-10-13  
(or other identifier)  
Term Dates From 1-14-13 To: 3-15-13  
Approved: Paul E. Hales

|   |                            |
|---|----------------------------|
| <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 Cheyenne  |                            |
| 8. Latitude (dd mm ss.s h) 41 7 58.3 N  |                            |

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|--|--|
| 9. State WY  | 10. Longitude<br>(dd mm ss.h) 104 44 9.1 W       |
| 11. Please supply any need attachments.<br>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.)<br>EchoStar Broadcasting Corporation ('EBC') seeks 60-day Special Temporary Authority to operate its transmit/receive earth station with EchoStar 16 at the 61.5 W.L. orbital location. 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. Yes <input checked="" type="radio"/> No <input type="radio"/> |  |
| 14. Name of Person Signing<br>Alison Minea   | 15. Title of Person Signing<br>Corporate Counsel |
| WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT<br>(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION<br>(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

**ECHOSTAR BROADCASTING CORPORATION**

Application for Special Temporary Authority to Operate Ten Transmit/Receive and Feeder Link Earth Stations to Communicate with the EchoStar 16 Satellite at 61.5° W.L.

File No. SES-STA-2013\_\_\_\_\_-\_\_\_\_\_  
Call Signs: E980081, E050017, E070283,  
E080215, E080008, E080214,  
E080015, E070284, E080213, and  
E080216

**APPLICATION FOR SPECIAL TEMPORARY AUTHORITY**

**I. INTRODUCTION AND BACKGROUND**

Pursuant to Section 25.120(b)(3) of the Commission's rules,<sup>1</sup> EchoStar Broadcasting Corporation ("EBC" and with its affiliates, "EchoStar") respectfully requests 60-day Special Temporary Authority ("STA"), commencing on January 14, 2013, to permit EBC to operate ten earth stations (Call Signs E980081, E050017, E070283, E080215, E080008, E080214, E080015, E070284, E080213, and E080216) to perform telemetry, tracking, and control ("TT&C") and feeder-link operations with its Direct-Broadcast Satellite ("DBS"), EchoStar 16, at the 61.5° W.L. orbital location.<sup>2</sup> EBC has already filed modifications for all ten earth stations requesting

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<sup>1</sup> See 47 C.F.R. § 25.120(b)(3).

<sup>2</sup> EchoStar requests authorization to communicate with EchoStar 16 using all frequencies for which the satellite is authorized. See *Grant Stamp*, File No. SAT-LOA-20110902-00172, Call Sign S2844 (granted Jun. 22, 2012); *Grant Stamp*, File No. SAT-MOD-20120829-00144, Call Sign S2844 (granted Nov. 19, 2012).

permanent authority to use these earth stations to communicate with EchoStar 16 at 61.5° W.L.

The Commission previously approved two similar modification requests.<sup>3</sup>

EchoStar recently completed in-orbit testing of EchoStar 16 at 67.1° W.L., and the satellite has been relocated to its permanent location at 61.5° W.L.<sup>4</sup> Grant of this application will permit EchoStar to bring the EchoStar 16 satellite into service in a timely manner.

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

The 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>5</sup> This application meets both of these tests.

Grant of these STAs will allow EchoStar to bring the EchoStar 16 satellite into use in a timely manner, while it awaits modification of its earth station authorizations to permanently communicate with the EchoStar 16 satellite. The Commission has previously found that deployment of new DBS capacity serves the public interest, convenience, and necessity.<sup>6</sup>

Furthermore, this application will not result in harmful interference to any authorized user of the spectrum. Currently, the only DBS satellites licensed within the vicinity of 61.5° W.L. are operated by EchoStar—EchoStar 12, EchoStar 15, and EchoStar 16. EchoStar will, of

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<sup>3</sup> See File No. SES-MFS-20110627-00739, Call Sign E080007 (granted Nov. 30, 2012); File No. SES-MFS-20120315-00269, Call Sign E070014 (granted Jun. 29, 2012). The Commission has previously also approved three other earth stations for in-orbit testing and relocation of EchoStar 16. See File Nos. SES-STA-20120316-00274, Call Sign E070014 (granted Nov. 20, 2012); SES-STA-20120316-00275, Call Sign E980005 (granted Nov. 20, 2012); File No. SES-STA-20120614-00508, Call Sign E080120 (granted Nov. 28, 2012).

<sup>4</sup> EchoStar will shortly file a notice of consummation of service for EchoStar 16 with the Commission.

<sup>5</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>6</sup> See, e.g., DIRECTV Enterprises, *Order and Authorization*, 14 FCC Rcd. 13159 (1999).

course, ensure that the operation of these satellites does not cause harmful interference to its own satellites.

### **III. OPERATIONAL PARAMETERS**

While communicating with EchoStar 16 at 61.5° W.L., EBC will operate under the following conditions:

1. Operations shall be on a non-harmful interference basis, meaning that EBC shall not cause interference to, and shall not claim protection from, interference caused to it by any other lawfully operating satellites operating within the parameters of applicable international coordination agreements.
2. In the event that any harmful interference is caused while the satellite is operating at 61.5° W.L., EBC shall cease operations immediately upon notification of such interference and shall inform the Commission immediately, in writing, of such event.

### **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 January 14, 2013, to operate ten earth stations (Call Signs E980081, E050017, E070283, E080215, E080008, E080214, E080015, E070284, E080213, and E080216) to perform TT&C and feeder-link operations with EchoStar 16 at 61.5° W.L.

Respectfully submitted,

\_\_\_\_\_  
/s/

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January 7, 2013