

E020306 SES-STA-20130222-00206 IB2013000454
EchoStar Broadcasting Corporation

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:
Application for Special Temporary Authority Beginning on or Before March 12, 2013 to Operate Call Sign E020306 to Provide
TT&C for EchoStar 6 During Relocation to, and Operations at, 96.2 W.L.

1. Applicant

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



with conditions
File # SES-STA-20130222-00206
Call Sign E020306 Grant Date 4/1/2013
(or other identifier)
Term Dates
From 4/1/2013 To: 5/31/2013
Approved: Paul E. Blay

Applicant: EchoStar Broadcasting Corporation
Call Sign: E020306
File Number: SES-STA-20130222-00206

EchoStar Broadcasting Corporation (ESOC) is granted special temporary authority from April 1, 2013, to May 31, 2013, to operate its Gilbert, VA, fixed earth station to communicate with EchoStar 6 satellite, Call Sign S2232, as necessary, to drift the EchoStar 6 satellite from its current orbital location of 76.8° W.L. to the 96.2° W.L. orbital location and to maintain EchoStar 6 at that location using the following center frequencies: 17.305 GHz (Earth to space), and 12.203 GHz and 12.204 GHz (space to Earth). Operations under this authorization must be in accordance with the technical specifications and under regulatory arrangements set forth in EchoStar's application, the FCC Order and Authorization DA 13-395 and the following conditions:

1. ESOC 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.
2. ESOC must maintain a point of contact available 24 hours per day, seven days per week at (307) 633-5460 or (480) 558-2778 with the authority and ability to terminate operations authorized herein and for discussing interference concerns with other licensees.
3. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at ESOC's risk.
4. Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending applications.

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.



File # SES-STA-20130222-00206

Call Sign E020306 Grant Date 4/1/2013
(or other identifier)

Term Dates

From 4/1/2013 To: 5/31/2013

Approved: [Signature]

Page 1 of 1

2. Contact	
Name: Pantelis Michalopoulos	Phone Number: 202-429-6494
Company: Steptoe & Johnson LLP	Fax Number: 202-429-3902
Street: 1330 Connecticut Ave. NW	E-Mail: pmichalopoulos@steptoe.com
City: Washington	State: DC
Country: USA	Zipcode: 20036 -1795
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 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 21 59.8 N

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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 Three
Transmit/Receive Earth Stations to
Communicate with EchoStar 6 at 96.2°
W.L.

File No. SES-STA-2013 _____ - _____
Call Sign E080120

File No. SES-STA-2013 _____ - _____
Call Sign E020306

File No. SES-STA-2013 _____ - _____
Call Sign E070273

APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

I. INTRODUCTION AND BACKGROUND

By this Application, and pursuant to Section 25.120(b)(4) of the Commission's rules,¹ EchoStar Broadcasting Corporation ("EchoStar Broadcasting" and collectively with its affiliates, "EchoStar") requests 30-day special temporary authority ("STA") beginning on or before March 12, 2013, to operate (1) two transmit/receive earth stations (Call Signs E080120 and E020306) to perform telemetry, tracking, and control ("TT&C") during the relocation of the EchoStar 6 satellite to, and operations at, 96.2° W.L.; and (2) one earth station (Call Sign E070273) to perform TT&C during the relocation of the EchoStar 6 satellite to, and operations at, 96.2° W.L. and to provide feeder link services during operations at 96.2° W.L.

EchoStar has already requested satellite STA to move EchoStar 6 to 96.2° W.L. and to operate the satellite there until permanent authority can be sought.² EchoStar will soon submit applications to modify both the EchoStar 6 authorization and the above-referenced earth station

¹ See 47 C.F.R. §25.120(b)(4).

² See File No. SAT-STA-20130220-00023 (Filed Feb. 20, 2013).

authorizations to permit permanent operations with EchoStar 6 at 96.2° W.L. EchoStar has requested STA to permit commercial development of the slot to begin as soon as possible and requests action on this request by March 12, 2013.

For the reasons set forth herein, the grant of this application is in the public interest, is consistent with past precedent, and will not cause harmful interference to any authorized user of the spectrum.

II. THIS REQUEST IS IN THE PUBLIC INTEREST

Grant of this STA request is in the public interest for the same reasons that grant of the request for STA to move EchoStar 6 to 96.2° W.L. and operate the satellite at that location is in the public interest, and EchoStar fully incorporates herein the public interest statement of that application.³

III. OPERATIONAL PARAMETERS

During the drift to 96.2° W.L., and while EchoStar 6 is at 96.2° W.L., EchoStar agrees to operate with the satellite subject to the following conditions:

1. During drift operations, EchoStar will transmit to EchoStar 6 only in the TT&C frequencies, and all transponders other than TT&C transponders will be turned off; and
2. EchoStar will operate the referenced earth stations with EchoStar 6 on a non-interference basis, and will cease operations immediately upon receiving notice that operations with EchoStar 6 are causing harmful interference to any other authorized user of spectrum.

IV. 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, EchoStar Broadcasting hereby waives any claim to the use of any particular

³ See File No. SAT-STA-20130220-00023 (filed Feb. 20, 2013). EchoStar has appended that application to this narrative for reference.

frequency or use 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.

V. CONCLUSION

EchoStar respectfully requests the grant of its application for 30-day STA beginning on or before March 12, 2013, to operate (1) two transmit/receive earth stations (Call Signs E080120 and E020306) to perform telemetry, tracking, and control (“TT&C”) during the relocation of the EchoStar 6 satellite to, and operations at 96.2° W.L.; and (2) one earth station (Call Sign E070273) to perform TT&C during the relocation of the EchoStar 6 satellite to, and operations at, 96.2° W.L. and to provide feeder link services during operations at 96.2° W.L., so that EchoStar can meet the needs of its customer and development partner, SES, as SES explores the potential for new and innovative service offerings from the 96.2° W.L. orbital location.

Respectfully submitted,

/s/

Pantelis Michalopoulos
Stephanie A. Roy
Stephoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 429-3000
*Counsel for EchoStar Satellite
Operating Corporation*

February 22, 2013

Date & Time Filed: Feb 20 2013 4:33:58:610PM
File Number: SAT-STA-20130220-00023
Callsign:

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY
FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Application for Special Temporary Authority Beginning on or Before March 12, 2013 to Move EchoStar 6 to, and Operate It at, 96.2 W.L.

1. Applicant

Name:	EchoStar Satellite Operating Corporation	Phone Number:	202-293-0981
DBA Name:		Fax Number:	
Street:	100 Inverness Terrace East	E-Mail:	
City:	Englewood	State:	CO
Country:	USA	Zipcode:	80112 -
Attention:			

2. Contact

Name:	Pantelis Michalopoulos	Phone Number:	202-429-6494
Company:	Steptoe & Johnson LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Ave 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 or Submission ID

4a. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
- Governmental Entity Noncommercial educational licensee
- Other(please explain):

4b. Fee Classification

5. Type Request

- Change Station Location Extend Expiration Date Other

6. Temporary Orbit Location
96.2 W.L.

7. Requested Extended Expiration Date

8. 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 Satellite Operating Corporation requests Special Temporary Authority beginning on or before March 12, 2013 to move EchoStar 6 to, and operate it at, 96.2 W.L. See attached narrative.

9. 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 No

10. Name of Person Signing
Pantelis Michalopoulos

11. Title of Person Signing
Counsel for EchoStar Satellite Operating Corp.

12. Please supply any need attachments.

Attachment 1: Narrative	Attachment 2:	Attachment 3:
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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.

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

In the Matter of

**ECHOSTAR SATELLITE OPERATING
CORPORATION**

File No. SAT-STA-_____
Call Sign S2232

Request for Special Temporary
Authority to Move EchoStar 6 to, and
Operate It at, 96.2° W.L.

APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

I. INTRODUCTION AND BACKGROUND

EchoStar Satellite Operating Corporation (“ESOC,” and along with its affiliates, “EchoStar”) requests special temporary authority (“STA”) beginning on or before March 12, 2013, to move the EchoStar 6 Broadcasting-Satellite Service (“BSS”) satellite to, and operate it at, the 96.2° W.L. orbital location.¹ Bermuda holds 16 channels at the nominal 96.2° W.L. orbital location under the International Telecommunication Union (“ITU”) Region 2 BSS and associated Feeder Link Plans. Bermuda also has a pending request for modification of the BSS Plan, which includes all 32 BSS channels, through its BERMUDASAT-1 satellite network filing.

¹ EchoStar 6 will be maintained within a ±0.05° longitude station-keeping box, although the satellite will be allowed to operate in an inclined orbit within this box. EchoStar will also be filing applications for STA to operate three of its earth stations to provide the necessary telemetry, tracking, and control (“TT&C”) and feeder link services to EchoStar 6.

EchoStar plans to request permanent modification of the EchoStar 6 authorization and the appropriate earth stations to permit operations at 96.2° W.L. under regular authority, but seeks an STA to accommodate its customer’s request, which has urgent timing.

The EchoStar 6 satellite will operate pursuant to the BERMUDASAT-1 satellite network filing.² EchoStar is making this request to accommodate the needs of its customer and development partner, SES Satellites (Bermuda) Ltd. (“SES Bermuda,” and along with its affiliates, “SES”), which has been authorized to operate a BSS satellite at 96.2° W.L. pursuant to the BERMUDASAT-1 filing. SES intends to use EchoStar 6 at 96.2° W.L. to evaluate and develop commercial service opportunities in the Caribbean, Latin American, and North Atlantic markets outside of the United States. Such opportunities include the provision of video programming and other services, including international maritime services, to consumers in Bermuda and elsewhere. EchoStar requests action on this request by March 12, 2013 so that commercial development may begin at the earliest possible date.

While at 96.2° W.L., EchoStar 6 will operate pursuant to the BERMUDASAT-1 filing and any associated coordination agreements but will remain a U.S.-licensed satellite operating under Commission jurisdiction. Attached as Exhibit 1 to this application is a letter from the Bermuda Department of Telecommunications concurring with this approach.³ A Technical Analysis is also attached,⁴ providing a subset of the information required pursuant to Section 25.114 of the Commission’s rules in order to demonstrate how EchoStar 6 will not exceed the ITU’s Appendices 30 and 30A criteria into any other operational BSS network.⁵

² See BERMUDASAT-1, *published in Special Section AP30-30A/E/389 of IFIC 2553* (20 Sept. 2005).

³ See Exhibit 1: Letter from Jeane Nikolai, Acting Director of Telecommunications, Bermuda Department of Telecommunications, to Fern Jarnulnek, Acting Chief, Satellite Division, International Bureau, Federal Communications Commission (Feb. 20, 2013).

⁴ See Exhibit 2: Technical Analysis.

⁵ See 47 C.F.R. § 25.114.

EchoStar 6 has been operating at the Mexican 77° W.L. BSS cluster since February 2011 when it was moved from 72.5° W.L. to pursuant to STA granted by the Commission to provide emergency capacity when a single event upset temporarily affected the EchoStar 8 satellite at that location.⁶ With the launch and drift of QuetzSat-1 to the 77° W.L. orbital location, where it has been put into operation, EchoStar 6 has become available for other uses in the EchoStar satellite fleet.

For the reasons set forth herein, the grant of this application is in the public interest, is consistent with past precedent, and will not cause harmful interference to any authorized user of the spectrum.

II. THIS REQUEST IS IN THE PUBLIC INTEREST

Operations of EchoStar 6 at 96.2° W.L. will serve the public interest. It has long been the Commission's policy that the public interest is generally furthered by leaving fleet management decisions to satellite operators. As the International Bureau has stated:

[T]he Commission attempts, when possible, to leave spacecraft design decisions to the space station licensee because the licensee is in a better position to determine how to tailor its system to meet the particular needs of its customers. Consequently the Commission will generally grant a licensee's request to modify its system, provided there are no compelling countervailing public interest considerations.⁷

As a result, the Commission has routinely authorized "satellite operators to rearrange satellites in their fleet to reflect business and customer considerations where no public interest

⁶ 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); see also Letter from Petra A. Vorwig, Counsel for EchoStar Corporation, to Marlene H. Dorch, Secretary, FCC, filed in File No. SAT-T/C-20090217-00026, Call Sign S2439 (Feb. 1, 2011).

⁷ AMSC Subsidiary Corp., Application for Modification of Mobile Satellite Service License and for Modification of Earth Station Licenses, *Order and Authorization*, 13 FCC Rcd. 12316, 12318 ¶ 8 (1998).

factors are adversely affected.”⁸ This includes permitting fleet reconfigurations designed to meet demands for capacity outside the United States.⁹ Indeed, only a few months ago, the Commission granted two modification requests to operate U.S.-licensed DBS satellites pursuant to non-U.S. ITU filings and assignments.¹⁰

SES intends to use EchoStar 6 at 96.2° W.L. to evaluate and development commercial service opportunities in the Caribbean, Latin American, and North Atlantic markets outside of the United States. Such evaluation and development activities will include an assessment of the viability of direct-to-home and other services, including international maritime services, from 96.2° W.L.

The arrival of QuetzSat-1 at the 77° W.L. nominal orbital location earlier this year, which has replaced the capacity of EchoStar 1 and EchoStar 8 in the cluster, has provided improved

⁸ See SES Americom, Inc., Application for Modification of the AMC-16 Fixed-Satellite Service Space Station to Temporarily Vacate the 85° W.L. Orbital Location and for Telemetry, Tracking and Control Operations During Drift of the AMC-16 to and from the 118.75° W.L. Orbital Location, *Order and Authorization*, 21 FCC Rcd. 3430, 3433 ¶ 8 (2006) (citing Amendment of the Commission’s Space Station Licensing Rules and Policies, *Second Report and Order*, 18 FCC Rcd. 12507, 12509 ¶ 7 (2003)).

⁹ See Intelsat North America LLC, *Stamp Grant*, File No. SAT-T/C-20100112-00009, Call Sign S2159 (granted July 30, 2010); PanAmSat Licensee Corp., *Stamp Grant*, File No. SAT-MOD-20080225-00051, Call Sign S2253 (granted July 22, 2008).

¹⁰ EchoStar Satellite Operating Corporation, *Stamp Grant*, File No. SAT-MOD-2012-0814-00130 (granted Dec. 13, 2012) (granting authority for EchoStar 15 to operate at the nominal 45° W.L. position under the BSS network filings of Brazil); DIRECTV Enterprises, LLC, *Stamp Grant*, File Nos. SAT-A/O-20120817-00137, SAT-AMD-20120824-00142, SAT-AMD-2012-0913-00148 (granted Dec. 21, 2012) (granting authority for DIRECTV 1R to operate at 55.8° E.L. under the BSS network filings of Russia). For other similar grants, see SES Americom, Inc., *Stamp Grant*, File No. SAT-MOD-20111025-00209, Call Sign S2134 (granted Feb. 24, 2012) (requesting modification of its authorization for AMC-2 to provide service exclusively into Sweden pursuant to a Swedish ITU filing); Intelsat License LLC, *Stamp Grant*, File No. SAT-MOD-20110420-00073, Call Sign S2469 (granted Mar. 3, 2012) (requesting modification of its authorization for the Galaxy 26 satellite to provide service to the Middle East pursuant to a Turkish ITU filing).

performance at this orbital location from which DISH Network and its affiliates continue to provide millions of U.S. and Mexican customers with innovative video programming packages.¹¹ With this addition, the EchoStar 6 satellite at 76.80° W.L., serving as back-up capacity for the 77° W.L. cluster, has now become available for other potential uses in the EchoStar satellite fleet.

EchoStar requests action on this request by March 12, 2013 so that commercial development may begin at the earliest possible date.

III. OPERATION OF ECHOSTAR 6 AT 96.2° W.L. WILL NOT CAUSE HARMFUL INTERFERENCE TO OTHER AUTHORIZED SPECTRUM USERS

EchoStar 6's operations at 96.2° W.L. will not cause harmful interference to any authorized user of the spectrum.¹² As set forth in Exhibit 1, EchoStar will operate the satellite with reduced downlink EIRP so as not to "affect" (as defined in Annex 1 of Appendix 30) other BSS satellite networks, the nearest of which is more than 4.5 degrees away in the 101° BSS cluster.¹³

¹¹ See File No. SES-STA-20130109-00027, Call Sign E970336 (granted Jan. 16, 2013).

¹² During EchoStar 6's operations at 96.2° W.L., EchoStar will follow standard industry practices for coordination of TT&C transmission to ensure that operations do not cause harmful interference to any nearby satellite. As the administration under whose frequency reservation EchoStar 6 will be operating, Bermuda is the responsible administration for coordination of the service frequencies. Co-frequency satellites operating within 9 degrees of the 96.2° W.L. orbital location consist of Directv 4S and Directv 9S (operated by DirecTV) at the 101° W.L. nominal orbital location, and Nimiq 1, Nimiq 2, and Nimiq 6 (operated by Telesat Canada) at the nominal 91° W.L. orbital location. EchoStar can find no evidence that other BSS Plan networks or other BSS filings with the ITU and within 9 degrees of EchoStar 6's intended orbit are under construction or progressing towards launch.

¹³ EchoStar continues to believe that full power, co-coverage BSS operations by satellites operating with only 4.5° orbital separation present unacceptable interference risks unless coordination is successfully completed. See Comments of EchoStar Satellite L.L.C., IB Docket No. 06-160, at 5-9; Reply Comments of EchoStar Satellite L.L.C., IB Docket No. 06-160, at 8-9. Because EchoStar proposes to operate EchoStar 6 at reduced power levels, the coordination

The Commission has approved the operation of co-coverage BSS satellites at separations of less than 4.6 degrees—the separation in this case.¹⁴ The Commission has allowed such operations on the condition that they do not exceed the coordination triggers of Annex 1 of Appendix 30/30A for the protection of other BSS networks serving the United States, unless successfully coordinated with potentially affected operators.¹⁵ In particular, such operations must not cause more than a 0.25 dB degradation in overall equivalent protection margins (“OEPMs”) with respect to the reference situation for such other networks. Appendices 1 and 2 of the attached Exhibit demonstrate that the proposed operation of EchoStar 6 at 96.2° W.L. will not exceed these coordination triggers. The proposed operations will therefore expand potential service offerings without affecting other BSS networks.

IV. OPERATIONAL PARAMETERS

During the drift to 96.2° W.L., and while EchoStar 6 is at 96.2° W.L., EchoStar agrees to operate the satellite subject to the following conditions:

1. EchoStar will maintain full operational control of EchoStar 6 at all times;
2. During drift operations, all transponders other than TT&C transponders will be turned off;
3. EchoStar will operate the satellite on a nonharmful interference basis, and will cease operations immediately upon receiving notice that EchoStar 6’s operations are causing harmful interference to any other authorized user of spectrum;
4. EchoStar will operate pursuant to the BERMUDASAT-1 ITU space network filing while at 96.2° W.L.; and

triggers of Annex 1 to Appendices 30/30A are not triggered, and coordination is not required with the referenced operational parameters.

¹⁴ See SES Americom, Inc. Petition for Declaratory Ruling Regarding Direct Broadcast Satellite Service to the U.S. Market from the 105.5° W.L. Orbital Location, *Order*, 28 FCC Rcd. 236 (2013).

¹⁵ *Id.*

5. EchoStar will comply with the applicable laws, regulations, rules, and licensing procedures of Bermuda while at 96.2° W.L.

V. 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, ESOC hereby waives any claim to the use of any particular frequency or use 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.

VI. CONCLUSION

EchoStar respectfully requests STA on or before March 12, 2013, so that EchoStar can move and operate EchoStar 6 at 96.2° W.L. in time to meet the needs of its customer and development partner, SES, as SES explores the potential for new and innovative service offerings from the 96.2° W.L. orbital location.

Respectfully submitted,

/s/

Pantelis Michalopoulos
Stephanie A. Roy
Stephoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 429-3000
*Counsel for EchoStar Satellite
Operating Corporation*

February 20, 2013

EXHIBIT 1

Letter



GOVERNMENT OF BERMUDA
Ministry of Economic Development
Department of Telecommunications

DOT REF: DOT206/201/81
DATE: February 20, 2013

Fern Jarmulnek
Acting Chief, Satellite Division
International Bureau
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: Satellite Operations at 96.2° W.L.

Dear Ms. Jarmulnek:

I hereby confirm that Bermuda has authorized SES Satellites (Bermuda) Ltd. ("SES") to operate satellites in the Ku-band broadcasting-satellite service ("BSS") frequencies (12.2-12.7 GHz downlink / 17.3-17.8 GHz uplink) at the nominal 96.2° W.L. orbital location. I also confirm that SES has advised Bermuda that it intends to operate the FCC-licensed EchoStar VI Ku-band BSS satellite at that orbital location pursuant to a service agreement with EchoStar Satellite Services L.L.C., either directly or through their respective affiliates.

Bermuda supports the operation of the EchoStar VI satellite at the nominal 96.2° W.L. orbital location based on our understanding:

- that the United States will remain the licensing administration for the EchoStar VI satellite for purposes of space object registration with the United Nations and also for purposes of ITU Radio Regulation No.18.1;
- that the FCC will license operations of the EchoStar VI satellite at the nominal 96.2° W.L. orbital location on the condition of neither claiming protection from nor causing interference to other networks, in accordance with ITU Radio Regulation No.4.4, and contingent on compliance with all applicable laws, regulations, rules, and licensing procedures of Bermuda;
- that the EchoStar VI satellite will operate pursuant to the ITU filings and coordination agreements of the Administration of the United Kingdom on behalf of Bermuda and in accordance with the authorisation granted to SES by Bermuda, while it is operating at the nominal 96.2° W.L. orbital location;



GOVERNMENT OF BERMUDA
Ministry of Economic Development

Department of Telecommunications

- that the respective roles of the relevant authorities in the United States and in Bermuda are in no way prejudiced by the arrangements described in this letter, in particular with regard to the recognition of the coordination status of satellite networks as filed with the ITU and with regard to matters of market access, and that SES and/or EchoStar shall seek due authorisation for access to such markets should they so desire; and
- that while located at the nominal 96.2 W.L. orbital location, TT&C of the EchoStar V1 satellite will be performed by EchoStar from earth stations in the United States under the contractual direction and control of SES.

The satellite will be operating pursuant to the following ITU satellite network filings submitted on behalf of Bermuda: BERMUDASAT-1 published in Special Section AP30-30A/E/389 of IFIC 2553 dated 20 September 2005.

Yours sincerely,

Jeanne Nikolai

Jeanne Nikolai
Acting Director of Telecommunications

EXHIBIT 2

Technical Analysis

1. SCOPE

This Exhibit describes the operational characteristics of the ECHOSTAR-6 satellite when operated at the 96.2° W.L. orbital location.

2. SATELLITE TRANSMIT PERFORMANCE

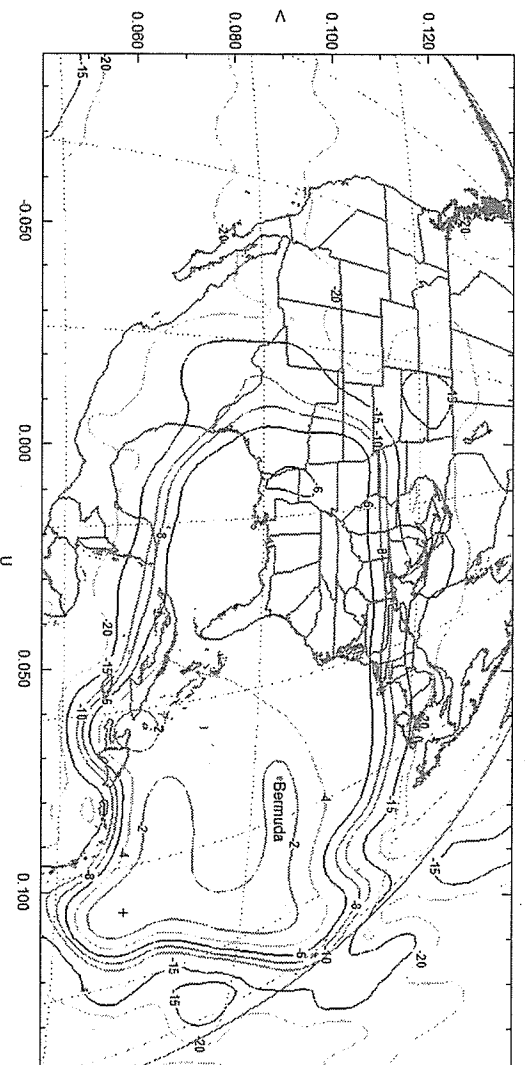
The downlink beam coverage of the ECHOSTAR-6 satellite from the 96.2° W.L. location is shown in Figure 2-1.¹ The satellite employs two shaped reflectors, each operating in both right-hand circular polarization ("RHCP") and left-hand circular polarization ("LHCP"). The performance in both polarizations is nominally the same.

The satellite was designed to provide 32 channels in medium power mode or 16 channels in high power mode. For operation at 96.2° W.L., the satellite will only be operated in medium power mode. In this mode, the satellite is capable of transmitting with a peak downlink EIRP of 54.7 dBW. However, as explained in section 6 of this Exhibit, the downlink transmissions of the ECHOSTAR-6 satellite will be controlled so as to not exceed a peak downlink EIRP of 49.8 dBW in order not to exceed a 0.25 dB change in the overall equivalent protection margin ("OEPM") with respect to any authorized operational adjacent BSS network.

The 0.25 dB of change to the OEPM is one of the coordination criteria in Annex 1 to Appendices 30 and 30A of the ITU Radio Regulations and it is used to determine whether other Region 2 broadcasting-satellite service ("BSS") networks are potentially affected and thus whether coordination is required. If the change to the OEPM is less than 0.25 dB with respect to any authorized operational adjacent BSS network, as is the case when the ECHOSTAR-6 satellite is operated as proposed herein, then there is no requirement for coordination.

¹ In order to provide service to Bermuda, appropriate pointing bias will be applied to the antennas of the ECHOSTAR-6 satellite.

Figure 2-1: ECHOSTAR-6 Downlink Beam Coverage from 96.2°W.L.



3. SATELLITE RECEIVE PERFORMANCE

This uplink beam operates in both RHCP and LHCP. The antenna gain contours of the beam are shown in Figure 3-1. The performance in both polarizations is nominally the same. The peak gain of the beam is 33.8 dBi, with a noise temperature of 590K, for a peak G/T of 6.1 dB/K.

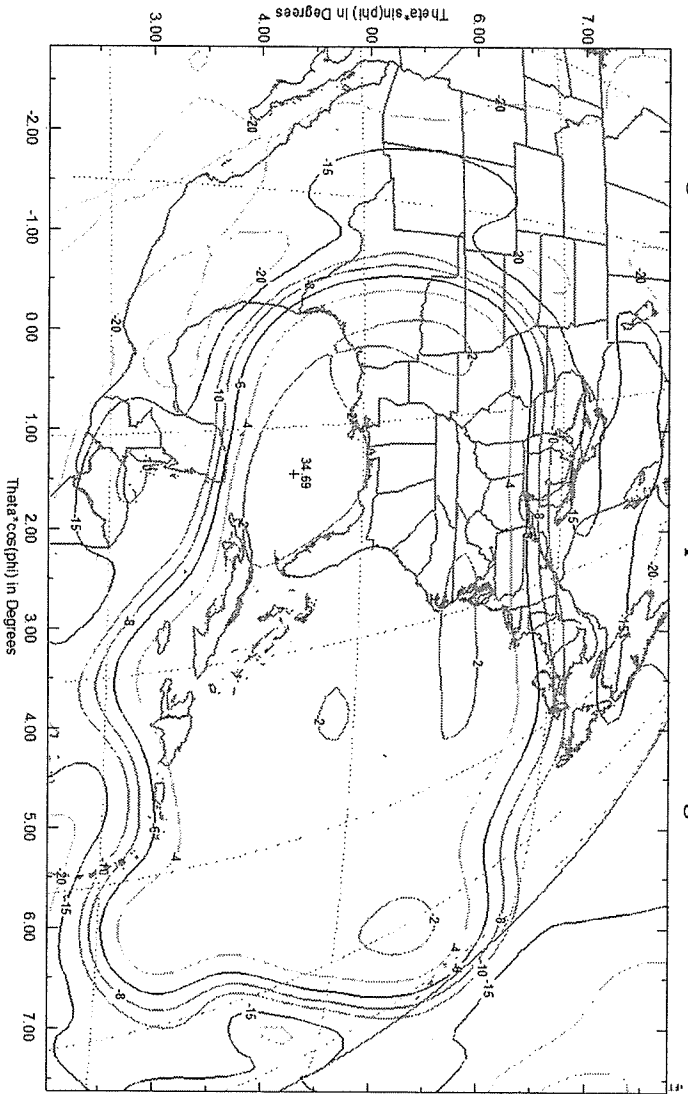


Figure 3-1: ECHOSTAR-6 Uplink Beam Coverage from 96.2°W.L.

4 TELEMETRY, TRACKING AND CONTROL (TT&C)

Details of the telemetry, tracking, and control (“TT&C”) subsystem for use during on-station, drifts, and emergencies are given in Table 4-1.

Table 4-1: TT&C Subsystem Details

Parameter	Performance
On-Station Command Frequency	17,305 MHz
Uplink Flux Density	Between -88 and -108 dBW/m ²
Uplink Polarization	LHCP
On-Station Telemetry Frequencies	12,203 MHz 12,204 MHz
Maximum Downlink EIRP	16.0 dBW
Downlink Polarization	LHCP

5. SAFE FLIGHT PROFILES

In considering current and planned satellites that may have a station-keeping volume that overlaps the ECHOSTAR-6 satellite at 96.2° W.L., EchoStar has reviewed the lists of FCC licensed satellite networks, pending applications and non-UK (Bermuda) networks that have been submitted to the ITU within ± 0.15 degrees from 96.2° W.L..

The review shows that there are no Commission-authorized or operational satellites within ± 0.15 degrees of 96.2° W.L., there are no pending applications before the Commission seeking authorization for a location within this sub-arc, and there are no non-UK (Bermuda) ITU filings within this sub-arc.

Accordingly, there is no requirement for EchoStar to physically coordinate the ECHOSTAR-6 satellite with another satellite operator at the present time.

6. INTERFERENCE ANALYSES - ANNEX 1 TO APPENDICES 30 AND 30A

The ECHOSTAR-6 satellite at 96.2° W.L. will operate under authority of the UK (Bermuda) administration. The UK administration will be responsible for coordination of the ECHOSTAR-6 satellite following the Appendix 30 and 30A ITU procedures.

Annex 1 to Appendices 30 and 30A of the ITU Radio Regulations provide coordination criteria to determine whether an adjacent satellite network is deemed to be affected by a newly proposed satellite network and thus whether coordination would be required. Appendices 1 and 2 to this Exhibit provide the results of the analyses required by Annex 1 to Appendices 30 and 30A using the transmission parameters of the ECHOSTAR-6 satellite network with a peak downlink EIRP of 49.8 dBW. For MSPACE purposes, the uplink was assumed to originate from EchoStar's Mt. Jackson, VA facility and with a maximum uplink EIRP of 85 dBW.

Annex 1 to Appendix 1 shows the results of the MSPACE analysis. These results are discussed below:

- The most significant result is that no USA or Canadian networks are affected (nor is any other operational BSS network). DirecTV operates satellites within the 101° W.L. cluster and Telesat Canada operates satellites within the 91° W.L. cluster. The MSPACE results demonstrate that these immediately adjacent authorized satellite networks will not receive interference in excess of the coordination criteria in Annex 1 to Appendices 30 and 30A of the ITU Radio Regulations when the ECHOSTAR-6 satellite is operated as described herein. Specifically, the analysis demonstrates that these adjacent networks will not experience an increase of more than 0.25 dB to their OEPM. These results arise because of the reduced downlink ERP of the ECHOSTAR-6 satellite (i.e., 54.7 dBW reduced to 49.8 dBW), coupled with a downlink beam roll-off of approximately 5 dB towards virtually all of CONUS and an approximately 10 dB roll-off towards virtually all of Canada. Note that the satellite would be operated with higher downlink ERP levels in the event that successful coordination with the adjacent operators allowed for an increase.

- Jamaica's three Plan networks at the nominal 92.5°W.L. location are deemed to be affected. However, there is no discernible evidence that any of these networks are under construction or progressing towards launch. In the event any of these networks were to be launched, and in the absence of a coordination agreement with Jamaica, the downlink emissions from the ECHOSTAR-6 satellite would be reduced so as to meet the criteria of Appendices 30 and 30A.

The preceding demonstrates that the ECHOSTAR-6 satellite, when operated as proposed, does not exceed the allowable change to the OEPM of any adjacent operational BSS satellite network. Appendices 1 and 2 to this Exhibit show that all other criteria of Annex 1 to Appendices 30 and 30A are also met.

**CERTIFICATION OF PERSON RESPONSIBLE FOR PREPARING
ENGINEERING INFORMATION**

I hereby certify that I am the technically qualified person responsible for preparation of the engineering information contained in this application, that I am familiar with Part 25 of the Commission's rules, that I have either prepared or reviewed the engineering information submitted in this application and that it is complete and accurate to the best of my knowledge and belief.

/s/

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Appendix 1

Analysis of Annex 1 of Appendix 30

- 1 Limits for the interference into frequency assignments in conformity with the Regions 1 and 3 Plan or with the Regions 1 and 3 List or into new or modified assignments in the Regions 1 and 3 List

Not Applicable to Region 2.

- 2 Limits to the change in the overall equivalent protection margin for frequency assignments in conformity with the Region 2 plan

With respect to § 4.2.3 c) of Article 4, an administration in Region 2 is considered as being affected if the overall equivalent protection margin corresponding to a test point of its entry in the Region 2 Plan, including the cumulative effect of any previous modification to that Plan or any previous agreement, falls more than 0.25 dB below 0 dB, or, if already negative, more than 0.25 dB below the value resulting from:

- the Region 2 Plan as established by the 1983 Conference; or
- a modification of the assignment in accordance with this Appendix; or
- a new entry in the Region 2 Plan under Article 4; or
- any agreement reached in accordance with this Appendix. (WRC-03)

Annex 1 to this Appendix shows the MSP ACE results using the technical characteristics of the ECHOSTAR-6 satellite, as proposed, and using IFIC 2734.

- 3 Limits to the change in the power flux-density to protect the broadcasting-satellite service in Regions 1 and 2 in the band 12.2-12.5 GHz and in Region 3 in the band 12.5-12.7 GHz

With respect to § 4.2.3 a), 4.2.3 b) or 4.2.3 f) of Article 4, as appropriate, an administration in Region 1 or 3 is considered as being affected if the proposed modification to the Region 2 Plan would result in exceeding the following power flux-density values, at any test point in the service area of its overlapping frequency assignments:

$-147 \text{ dB(W/(m}^2 \cdot 27 \text{ MHz))}$	$\text{for } 0^\circ \leq \theta < 0.23^\circ$
$-135.7 + 17.74 \log \theta \text{ dB(W/(m}^2 \cdot 27 \text{ MHz))}$	$\text{for } 0.23^\circ \leq \theta < 2.0^\circ$
$-136.7 + 1.66 \theta^2 \text{ dB(W/(m}^2 \cdot 27 \text{ MHz))}$	$\text{for } 2.0^\circ \leq \theta < 3.59^\circ$
$-129.2 + 25 \log \theta \text{ dB(W/(m}^2 \cdot 27 \text{ MHz))}$	$\text{for } 3.59^\circ \leq \theta < 10.57^\circ$
$-103.6 \text{ dB(W/(m}^2 \cdot 27 \text{ MHz))}$	$\text{for } 10.57^\circ \leq \theta$

where θ is the minimum geocentric orbital separation in degrees between the wanted and interfering space stations, taking into account the respective East-West station-keeping accuracies. (WRC-03)

The closest Regions 1 and 3 BSS network is greater than 10.57 degrees from the 96.2°W.L. location, therefore the $-103.6 \text{ dB(W/(m}^2 \cdot 27 \text{ MHz))}$ PFD level applies. The GIMS Appendix 30 PFD tool was used to assess compliance with this Section. Using the antenna gain contours and power levels of the ECHOSTAR-6 satellite, the GIMS PFD tool showed that no administrations are affected (and with a minimum 9 dB margin). Therefore the ECHOSTAR-6 satellite network is compliant with this Section.

4 Limits to the power flux-density to protect the terrestrial services of other administrations

With respect to § 4.1.1 d) of Article 4, an administration in Region 1, 2 or 3 is considered as being affected if the consequence of the proposed modified assignment in the Regions 1 and 3 List is to increase the power flux-density arriving on any part of the territory of that administration by more than 0.25 dB over that resulting from that frequency assignment in the Plan or List for Regions 1 and 3 as established by WRC-2000. The same administration is considered as not being affected if the value of the power flux-density anywhere in its territory does not exceed the limits expressed below.

With respect to § 4.2.3 d) of Article 4, an administration in Region 1, 2 or 3 is considered as being affected if the consequence of the proposed modification to an existing assignment in the Region 2 Plan is to increase the power flux-density arriving on any part of the territory of that administration by more than 0.25 dB over that resulting from that frequency assignment in the Region 2 Plan at the time of entry into force of the Final Acts of the 1985 Conference. The same administration is considered as not being affected if the value of the power flux-density anywhere in its territory does not exceed the limits expressed below.

With respect to § 4.1.1 d) or § 4.2.3 d) of Article 4, an administration in Region 1, 2 or 3 is considered as being affected if the proposed new assignment in the Regions 1 and 3 List, or if the proposed new frequency assignment in the Region 2 Plan, would result in exceeding a power flux-density, for any angle of arrival, at any point on its territory, of:

$$\begin{array}{ll} -148 \text{ dB(W/(m}^2 \cdot 4 \text{ kHz))} & \text{for } \theta \leq 5^\circ \\ -148 + 0.5 (\theta - 5) \text{ dB(W/(m}^2 \cdot 4 \text{ kHz))} & \text{for } 5^\circ < \theta \leq 25^\circ \\ -138 \text{ dB(W/(m}^2 \cdot 4 \text{ kHz))} & \text{for } 25^\circ < \theta \leq 90^\circ \end{array}$$

where θ represents the angle of arrival. (WRC-03)

The GIMS PFD tool was used to determine that the ECHOSTAR-6 satellite network complies with the above PFD limits and with a minimum 12 dB margin.

5 Limits to the change in the power flux-density of assignments in the Regions 1 and 3

Plan or List to protect the fixed-satellite service (space-to-Earth) in the band 11.7-12.2 GHz in Region 2 or in the band 12.2-12.5 GHz in Region 3, and of assignments in the Region 2 Plan to protect the fixed-satellite service (space-to-Earth) in the band 12.5-12.7 GHz in Region 1 and in the band 12.2-12.7 GHz in Region 3

With respect to § 4.1.1 e) of Article 4, an administration is considered as being affected if the proposed new or modified assignment in the Regions 1 and 3 List would result in an increase in the power flux-density over any portion of the service area of its overlapping frequency assignments in the fixed-satellite service in Region 2 or Region 3 of 0.25 dB or more above that resulting from the frequency assignments in the Plan or List for Regions 1 and 3 as established by WRC-2000.

With respect to § 4.2.3 e), an administration is considered as being affected if the proposed modification to the Region 2 Plan would result in an increase in the power flux-density over any portion of the service area of its overlapping frequency assignments in the fixed-satellite service in Region 1 or 3 of 0.25 dB or more above that resulting from the frequency assignments in the Region 2 Plan at the time of entry into force of the Final Acts of the 1985 Conference.

With respect to § 4.1.1 e) or 4.2.3 e) of Article 4, with the exception of cases covered by Note 1 below, an administration is considered as not being affected if the proposed new or modified assignment in the Regions 1 and 3 List, or if a proposed modification to the Region 2 Plan, gives a power flux-density anywhere over any portion of the service area of its overlapping frequency assignments in the fixed-satellite service in Region 1, 2 or 3 of less than:

$$\begin{array}{ll} -186.5 \text{ dB(W/(m}^2 \cdot 40 \text{ kHz))} & \text{for } 0^\circ \leq \theta < 0.054^\circ \\ -164.0 + 17.74 \log \theta \text{ dB(W/(m}^2 \cdot 40 \text{ kHz))} & \text{for } 0.054^\circ \leq \theta < 2.0^\circ \\ -165.0 + 1.66 \theta^2 \text{ dB(W/(m}^2 \cdot 40 \text{ kHz))} & \text{for } 2.0^\circ \leq \theta < 3.59^\circ \\ -157.5 + 25 \log \theta \text{ dB(W/(m}^2 \cdot 40 \text{ kHz))} & \text{for } 3.59^\circ \leq \theta < 10.57^\circ \\ -131.9 \text{ dB(W/(m}^2 \cdot 40 \text{ kHz))} & \text{for } 10.57^\circ \leq \theta \end{array}$$

where θ is the minimum geocentric orbital separation in degrees between the wanted and interfering space stations, taking into account the respective East-West station-keeping accuracies.

The GIMS PFD tool was used to verify compliance with this Section. All Regions 1 and 3 FSS satellites are greater than 10.57° from the 96.2° W.L. location, therefore the -131.9 dB (W/(m² · 40 kHz)) level applies. The result of the GIMS PFD analysis shows that no administrations are affected and with a minimum 8.9 dB margin. Therefore the ECHOSTAR-6 satellite network is compliant with this Section.

6 Limits to the change in equivalent noise temperature to protect the fixed-satellite service (Earth-to-space) in Region 1 from modifications to the Region 2 Plan in the band 12.5-12.7 GHz

With respect to § 4.2.3 e) of Article 4, an administration of Region 1 is considered as being affected if the proposed modification to the Region 2 Plan would result in:

- the value of $\Delta T / T$ resulting from the proposed modification is greater than the value of $\Delta T / T$ resulting from the assignment in the Region 2 Plan as of the date of entry into force of the Final Acts of the 1985 Conference; and*
- the value of $\Delta T / T$ resulting from the proposed modification exceeds 6%, using the method of Appendix 8 (Case II). (WRC-03)*

From a review of the available ITU space network databases there are no assignments registered in the Earth-to-space direction in the frequency band 12.5-12.7 GHz. Therefore no Region 1 space stations can be affected and hence the ECHOSTAR-6 satellite network is compliant with this Section.

Annex I to Appendix I

ECHOSTAR-6 MSPACE Results

Admin	Orbital Position (°W)	Network	Max. OEPM Degradation (dB)
JMC	92.3	CRBBAH01	0.666
JMC	92.3	CRBBER01	0.788
JMC	92.7	JMC00002	0.434

Appendix 2

Analysis of Annex 1 of Appendix 30A

1 Limits to the change in the overall equivalent protection margin with respect to frequency assignments in conformity with the Region 2 feeder-link Plan (WRC-2000)

With respect to the modification to the Region 2 feeder-link Plan and when it is necessary under this Appendix to seek the agreement of any other administration of Region 2, except in cases covered by Resolution 42 (Rev. WRC-03), an administration is considered as being affected if the overall equivalent protection margin corresponding to a test point of its entry in that Plan, including the cumulative effect of any previous modification to that Plan or any previous agreement, falls more than 0.25 dB below 0 dB, or, if already negative, more than 0.25 dB below the value resulting from:

- the feeder-link Plan as established by the 1983 Conference; or*
- a modification of the assignment in accordance with this Appendix; or*
- a new entry in the feeder-link Plan under Article 4; or*
- any agreement reached in accordance with this Appendix except for Resolution 42 (Rev. WRC-03). (WRC-03)*

See the results shown in Annex 1 to Appendix 1 (MSPACE results).

2 Limits to the interference into frequency assignments in conformity with the Regions 1 and 3 feeder-link Plan or with the Regions 1 and 3 feeder-link List or proposed new or modified assignments in the Regions 1 and 3 feeder-link List (WRC-03)

Not Applicable to Region 2.

3 Limits applicable to protect a frequency assignment in the bands 17.3-18.1 GHz (Regions 1 and 3) and 17.3-17.8 GHz (Region 2) to a receiving space station in the fixed-satellite service (Earth-to-space)

An administration in Region 1 or 3 is considered as being affected by a proposed modification in Region 2, with respect to § 4.2.2 a) or 4.2.2 b) of Article 4, or an administration in Region 2 is considered as being affected by a proposed new or modified assignment in the Regions 1 and 3 feeder-link List, with respect to § 4.1.1 c) of Article 4, when the power flux-density arriving at the receiving space station of a broadcasting-satellite feeder-link would cause an increase in the noise temperature of the feeder-link space station which exceeds the threshold value of $\Delta T / T$ corresponding to 6%, where $\Delta T / T$ is calculated in accordance with the method given in Appendix 8, except that the maximum power densities per hertz averaged over the worst 1 MHz are replaced by power densities per hertz averaged over the necessary bandwidth of the feeder-link carriers. (MRC-03)

The following table shows the results of $\Delta T / T$ calculations for the closest Regions 1 and 3 feeder link space stations, based on the Region 1 and 3 Plan and List. As shown the $\Delta T / T$'s are well below the allowed 6% level. Therefore the ECHOSTAR-6 satellite network is in compliance with this Section.

Closest Region 1 or 3 Feeder Link Space Station	E/S		Range (km)	E/S Gain towards Victim Satellite (dBi)	Victim Satellite Rx System Noise Temp (K)	Calculated $\Delta T / T$ (%)		
	Lat (°N)	Long (°E)						
IRL21100	-37.2	48.08	38.8	-78.6	38788	-10	600	0.31%
NGRI1500	-37.2	38.47	38.8	-78.6	38788	-10	600	0.34%
AND34100	-37	48.88	38.8	-78.6	38788	-10	600	0.03%
GMB30200	-37	47.69	38.8	-78.6	38800	-10	600	0.41%
GUI19200	-37	42.29	38.8	-78.6	38800	-10	600	0.09%
POR_100	-37	47.17	38.8	-78.6	38800	-10	600	0.28%
MTN_100	-36.8	37.55	38.8	-78.6	38813	-10	600	0.03%
SMR31100	-36.8	48.88	38.8	-78.6	38813	-10	600	0.41%

**4 Limits applicable to protect a frequency assignment in the band 17.8-18.1 GHz
(Region 2) to a receiving feeder-link space station in the fixed-satellite service
(Earth-to-space) (WRC-03)**

With respect to § 4.1.1 d) of Article 4, an administration is considered affected by a proposed new or modified assignment in the Regions 1 and 3 feeder-link List when the power flux-density arriving at the receiving space station of a broadcasting-satellite feeder-link in Region 2 of that administration would cause an increase in the noise temperature of the receiving feeder-link space station which exceeds the threshold value of $\Delta T/T$ corresponding to 6%, where $\Delta T/T$ is calculated in accordance with the method given in Appendix 8, except that the maximum power densities per hertz averaged over the worst 1 MHz are replaced by power densities per hertz averaged over the necessary bandwidth of the feeder-link carriers. (WRC-03)

Not Applicable to Region 2.