

E070273 SES-STA-20130305-00238
EchoStar Broadcasting Corporation

IB2013000520

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:

Renewal of 30-Day Special Temporary Authority to Operate Call Sign E070273 to Provide TT&C Communications for EchoStar 6 at 76.80 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:			



File # SES-STA-20130305-00238
Call Sign E070273 Grant Date 3-14-13
(or other identifier)
From 3-14-13 Term Dates To: 4-13-13
Approved: Paul E. Hays

Applicant: EchoStar Holding Purchasing Corporation
Call Sign: E070273
File Number: SES-STA-20130305-00238

EchoStar Holding Purchasing Corporation is granted special temporary authority for 30-days to continue operations previously granted under IBFS File No. See SES-STA-20130123-00084, under the following conditions:

1. EchoStar, 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. In the event that there is a report of interference EchoStar must immediately terminate transmissions and notify the FCC in writing.
3. Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending or future EchoStar applications.
4. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at EchoStar's risk.
5. Pursuant to Section 1.62 of the Commission's rules, 47 C.F.R. § 1.62, continued operation of this earth station with EchoStar 6 at 76.8 degrees W.L. with grant date of February 6, 2013 continued in effect until grant of this authorization.
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.



File # SES-STA-20130305-00238
Call Sign E070273 Grant Date 3-14-13
(or other identifier)
From 3-NVA3 Term Dates 2-13-13
Approved: [Signature] To: [Signature]

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

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)	File No. SES-STA-20130123-00086
)	File No. SES-STA-2013 _____
)	Call Sign E080120
ECHOSTAR BROADCASTING CORPORATION)	File No. SES-STA-20130123-00085
)	File No. SES-STA-2013 _____
Applications for Renewal of Special)	Call Sign E020306
Temporary Authority to Operate Three)	
Transmit/Receive Earth Stations with)	File No. SES-STA-20130123-00084
EchoStar 6 at 76.80° W.L.)	File No. SES-STA-2013 _____
)	Call Sign E070273
)	

APPLICATIONS 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 a 30-day special temporary authority ("STA") to operate three transmit/receive earth stations (Call Signs E080120, E020306, and E070273) to provide telemetry, tracking, and control ("TT&C") to the EchoStar 6 satellite at 76.80° W.L. The current STAs expire on March 8, 2013.²

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. EchoStar currently operates four Direct Broadcast Satellites ("DBS") at the

¹ See 47 C.F.R. § 25.120(b)(4).

² See Stamp Grant, File Nos. SES-STA-20130123-00086, Call Sign E080120 (granted Feb. 6, 2013); SES-STA-20130123-00085, Call Sign E020306 (granted Feb. 6, 2013); SES-STA-20130123-00084, Call Sign E070273 (granted Feb. 6, 2013).

nominal 77° W.L. orbital location under Mexican authority issued to EBC's partner, QuetzSat, S. de R.L. de C.V. ("QuetzSat"): EchoStar 1 (77.15° W.L.), EchoStar 6 (76.80° W.L.), EchoStar 8 (76.90° W.L.), and QuetzSat-1 (77.05° W.L.). 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; applications to relocate EchoStar 6 to 96.2° W.L. are currently pending before the Commission.³ EchoStar 1 continues to provide backup capacity for the orbital cluster, while QuetzSat-1 and EchoStar 8 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. The U.S. service includes local-into-local programming in a number of markets in the southern United States.

EchoStar relocated EchoStar 6 to the nominal 77° W.L. orbital location in February 2011⁴—a move prompted by a single event upset that temporarily affected the EchoStar 8 satellite.⁵ On March 14, 2011, EchoStar filed an application to transfer EchoStar 6 to QuetzSat,

³ EchoStar has applied for STA and a modification of authority to relocate EchoStar 6 from the 77° W.L. nominal orbital location and operate it at 96.2° W.L. See File Nos. SAT-STA-20130220-00023 (filed Feb. 20, 2013) (requesting STA beginning on or before March 12, 2013); SAT-MOD-20130227-00026 (filed Feb. 27, 2013). EchoStar has also applied for STA to operate the three earth stations that are the subject of this application to provide the necessary telemetry, tracking, and control ("TT&C") and feeder-link services to EchoStar 6 during its relocation to, and operation at, 96.2° W.L. See File Nos. SES-STA-20130222-00207, Call Sign E080120 (filed Feb. 22, 2013); SES-STA-20130222-00206, Call Sign E020306 (filed Feb. 22, 2013); SES-STA-20130222-00208, Call Sign E070273 (filed Feb. 22, 2013). However, as all of these applications are still pending, EchoStar is applying to renew the existing STA for these earth stations to operate with EchoStar 6 at 76.80° W.L.

⁴ 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).

⁵ 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).

intending to operate the satellite under Mexican authority from the nominal 77° W.L. orbital location.⁶ 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.⁷

After consulting with the Commission, EchoStar concluded that the reflagging was no longer necessary and withdrew its reflagging application.⁸ Instead, EchoStar 6 currently operates at 76.80° W.L. pursuant to a 180-day STA.⁹ The Mexican concessionaire for the 77° W.L. orbital location has informed COFETEL of 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.

II. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

These applications are in the public interest for the reasons set forth in the Satellite STA Application¹⁰ and the Blanket Earth Station Application, which are incorporated herein by

⁶ 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).

⁷ 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 then-pending 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).

⁸ See File No. SES-STA-20120924-00153 (filed Sept. 24, 2012).

⁹ See Stamp Grant, File No. SAT-STA-20121203-00207 (granted Jan. 17, 2013).

¹⁰ 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”).

reference. Furthermore, grant of these applications will ensure the continued safe operation of EchoStar 6 at the nominal 77° W.L. orbital location.

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 special temporary authority to operate three transmit/receive earth stations (Call Signs E080120, E020306, and E070273) to provide TT&C service for EchoStar 6 at 76.80° W.L.

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 Broadcasting
Corporation*

March 5, 2013