

SES-STA-20130510-00383

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:
EchoStar STA Renewal for **E080120**

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-20130510-00383

Call Sign E080120 Grant Date 05/20/2013
(or other identifier)

Term Dates
From 5/20/2013 To 07/19/2013

Approved: *Paul E. Hilde*

Applicant: EchoStar Broadcasting Corporation
Call Sign: E020306, E070273, E080120
File No.: SES-STA-20130510-00382
SES-STA-20130510-00384
SES-STA-20130510-00383
Special Temporary Authority (STA)

EchoStar Broadcasting Corporation (EchoStar) is granted a renewal of STA under file numbers SES-STA-20130222-00206, SES-STA-20130222-00208 and SES-STA-20130222-00207, under special conditions, for 60 days to operate its fixed earth stations, Call Signs E020306 and E070273, E080120 to communicate with EchoStar 6 satellite, Call Sign S2232, at 96.2° W.L. orbital location. EchoStar will continue to use the following center frequencies: 17.305 GHz (Earth-to-space), 12.203 GHz and 12.204 GHz (space-to-Earth). The continuing operations under this STA must be in accordance with the technical specifications and under regulatory arrangements set forth in EchoStar's application, FCC Order and authorization DA 13-395 and 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 radio communication system.
- 2) In the event of any harmful interference as a result of operations under this grant of special temporary authority, EchoStar shall cease operations immediately upon notification of such interference and shall immediately inform the Commission, in writing, of such an event.
- 3) EchoStar must maintain a point of contact available 24 hours per day, seven days per week (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.
- 4) Any action taken or expense incurred as a result of operations pursuant to this STA is solely at EchoStar's risk.
- 5) Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending applications.

This grant was authorized under Section 1.62 of the Commission's rules, 47 C.F.R. § 1.62.



File # SES-STA-20130510-00383 *with conditions*
Call Sign E080120 Grant Date 05/20/2013
(or other identifier) Term Dates
From 05/20/2013 To 07/19/2013
Approved: *David E. Blakes*

**Before the
Federal Communications Commission
Washington, DC 20554**

_____)	
In the Matter of)	File Nos. SAT-STA-20130510-_____
_____)	SES-STA-20130510-_____
EchoStar Satellite Operating Corporation and)	SES-STA-20130510-_____
EchoStar Broadcasting Corporation)	SES-STA-20130510-_____
_____)	
Applications for Renewal of Special)	Call Signs: S2232, E020306, E080120,
Temporary Authority to Operate EchoStar 6 at)	E070273
96.2° W.L. and Related Earth Stations)	
_____)	

APPLICATIONS FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY

Pursuant to Section 25.120(b)(3) of the Commission’s rules,¹ EchoStar Satellite Operating Corporation and EchoStar Broadcasting Corporation (collectively, “EchoStar”) request to renew their special temporary authority (“STA”) for 60 days – until July 30, 2013 – to operate: (i) the EchoStar 6 satellite at 96.2° W.L. (File No. SAT-STA-20130220-00023; Call Sign S2232);² (ii) two earth stations to provide telemetry, tracking, and control (“TT&C”) communications with EchoStar 6 at 96.2° W.L. (File Nos. SES-STA-20130222-00206 and SES-STA-20130222-00207; Call Signs E020306 and E080120);³ and (iii) an earth station to provide TT&C and feeder link communications with EchoStar 6 at 96.2° W.L. (File No. SES-STA-20130222-00208; Call Sign E070273).⁴ EchoStar’s license modification applications for regular

¹ See 47 C.F.R. § 25.120(b)(3).

² See *EchoStar Satellite Operating Company*, Order and Authorization, DA 13-593 (IB April 1, 2013) (“*EchoStar 6 STA Order*”).

³ See *Satellite Communications Services Information re: Actions Taken*, Public Notice, Report No. SES-01540, at 25 (Apr. 3, 2013).

⁴ See *id.*

authority to operate EchoStar 6 at 96.2° W.L. and the three related earth stations remain pending before the Commission.⁵

I. BACKGROUND

Prior to its relocation to 96.2° W.L., EchoStar 6 served as an important component of the EchoStar network, providing direct broadcast satellite (“DBS”) service from the nominal 77° W.L. orbital location to U.S. consumers (via DISH Network). In February 2013, a new satellite (EchoStar 16) commenced service, thus facilitating a series of fleet movements that then allowed EchoStar to consider placing EchoStar 6 into a more productive role at a new orbital location. In anticipation of EchoStar 6 potentially becoming available for use at a new orbital location, EchoStar and its customer and development partner, SES Satellites (Bermuda) Ltd. (“SES”), began evaluating the availability of unused DBS orbital locations. Specifically, EchoStar and SES focused on the potential to serve the Caribbean, Latin American, and North Atlantic markets outside the United States from the 96.2° W.L. orbital location pursuant to a U.K. filing (known as BERMUDASAT-1) with the International Telecommunication Union.

Consequently, pursuant to the existing STA granted on April 1, 2013,⁶ EchoStar 6 was successfully repositioned to 96.2° W.L. on April 13 and is in operation there. EchoStar and SES have commenced commercial development activities to leverage this asset to serve consumers in the Atlantic Ocean region.⁷

⁵ See *Policy Branch Information: Satellite Space Applications Accepted for Filing*, Public Notice, Report No. SAT-00946, at 1 (May 3, 2013) (accepting File Nos. SAT-MOD-20130227-00026 and SAT-AMD-20130429-00063); EchoStar Application for Modification, File Nos. SES-MFS-20130307-00232, SES-MFS-20130307-00233, and SES-MFS-20130307-00234 (Mar. 7, 2013).

⁶ See *EchoStar 6 STA Order* ¶ 1.

⁷ On April 23, 2013, the Commission denied the request of Spectrum Five LLC (“Spectrum Five”) for a stay of the STA grant. See *EchoStar Satellite Operating Company*, Memorandum

II. THE REQUESTED STA RENEWAL WILL SERVE THE PUBLIC INTEREST WITHOUT CAUSING HARMFUL INTERFERENCE

Renewal of the STA grant will serve the public interest for the same reasons set forth in the initial STA request⁸ and in the *EchoStar 6 STA Order*.⁹ Specifically, continued STA operations will be consistent with the fleet management flexibility afforded licensees, and will allow EchoStar and SES to continue developing new markets and innovative satellite video distribution services to a diverse array of customers, including the maritime industry, in underserved markets in the Atlantic Ocean region, including Bermuda, the Caribbean, and Latin America.¹⁰ Significant opportunity exists for EchoStar 6 to offer new multi-channel video services to U.S. and non-U.S. ships and vessels,¹¹ and these services can enhance ship operation and serve the unmet needs of ship crews and passengers.¹² Additional EchoStar 6 services also may include direct-to-home services to significant portions of the Atlantic Ocean region that have been neglected by much of the multi-channel video market.¹³ Thus, in granting the existing STA, the Commission found that “[a]llowing satellite operations at an unused orbit location on a

Opinion and Order, DA 13-854, ¶ 1 (IB April 23, 2013) (“*EchoStar 6 Stay Denial*”). Spectrum Five’s application for review of the STA grant remains pending before the Commission. See Spectrum Five Application for Review, File No. SAT-STA-20130220-00023 (Apr. 5, 2013).

⁸ See EchoStar Application for STA, File No. SAT-STA-20130220-00023, at 3-5 (Feb. 20, 2013); Letter from Dean A. Manson, EchoStar, to Marlene H. Dortch, Secretary, FCC, File No. SAT-STA-20130220-00023, at 2-4 (Mar. 11, 2013) (“EchoStar March 11 Letter”).

⁹ See *EchoStar 6 STA Order* ¶ 9; see also *EchoStar 6 Stay Denial* ¶ 18.

¹⁰ See EchoStar Application for STA at 3-4; EchoStar March 11 Letter at 2-4.

¹¹ See EchoStar Application for STA at 4; EchoStar March 11 Letter at 3.

¹² See EchoStar March 11 Letter at 4.

¹³ See EchoStar Application for STA at 4; EchoStar March 11 Letter at 4

temporary basis is in the public interest because it permits the public to receive services that would otherwise not be available.”¹⁴

At the same time, renewal of the STA grant will not cause harmful interference because EchoStar 6 will continue to be operated on an unprotected, non-harmful interference basis in accordance with the conditions set forth in the *EchoStar 6 STA Order*.¹⁵

III. CONCLUSION

Based upon the foregoing, EchoStar urges Commission grant of this application for renewal of its STA to operate EchoStar 6 at 96.2° W.L. and the three related earth stations for an additional 60-day period until July 30, 2013.

¹⁴ See *EchoStar 6 STA Order* ¶ 9; see also *EchoStar 6 Stay Denial* ¶ 18 (“Because the ESOC STA Grant authorizes use and facilitates commercial development potentially leading to greater use, we believe it serves the public interest in spectrum efficiency, particularly given that there are no other imminent uses during the period of operations authorized.”).

¹⁵ See *EchoStar 6 STA Order* ¶ 20.

2. Contact

Name:	Phuong Pham	Phone Number:	202-383-3395
Company:	Wilkinson Barker Knauer, LLP	Fax Number:	202-783-5851
Street:	2300 N Street, NW Suite 700	E-Mail:	PPham@wbklaw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20037 -
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 SESSTA2013022200207 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 CGX – Fixed Satellite Transmit/Receive Earth Station

5. Type Request

Use Prior to Grant

Change Station Location

Other

6. Requested Use Prior Date

7. City Cheyenne

8. Latitude

(dd mm ss.s h) 41 7 54.4 N

9. State WY	10. Longitude (dd mm ss.s h) 104 44 13.0 W
11. Please supply any need attachments. Attachment 1: Renewal of STA 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; margin: 10px 0;">EchoStar Broadcasting Corporation requests renewal of special temporary authority until July 30, 2013 for earth station communications with EchoStar 6 at 96.2 W.L. See attached narrative.</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. <input checked="" type="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing Dean A. Manson	15. Title of Person Signing Executive VP, General Counsel & Secretary
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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