

E980118 SES-STA-20140523-00385 IB2014000989  
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:  
E980118 STA Request

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:** -

Call Sign: E980118 Grant Date: 6-16-14  
(or other identifier)  
Term Dates: 7-14-14 to 7-18-14  
Approved: [Signature]

Applicant: EchoStar Broadcasting Corporation  
Call Sign: E980118  
File No.: SES-STA-20140523-00385  
Special Temporary Authority (STA)

EchoStar Broadcasting Corporation (EchoStar) is granted STA for 5 days for earth station Call Sign E980118 at Cheyenne, Wyoming to conduct testing of the emergency telemetry, tracking, and control (TT&C) of the ICO G1 (S2651) at the 92.85W orbital location under the following conditions:

1. The emergency TT&C operation's uplink (Earth-to-space) frequencies are 6424.5 MHz and 5925.5 MHz and downlink (space-to-Earth) frequencies are 3701.5 MHz and 4198.5 MHz. Operations under this STA are subject to this STA's application Narrative, and subject to terms, conditions, and technical specifications set forth in EchoStar's pending application SES-MFS-20130905-00778.
2. All operations under this grant of STA shall be on an unprotected and non-harmful interference basis. 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.
3. In the event of any harmful interference as a result of operations under this grant of STA, EchoStar shall cease operations immediately upon notification of such interference and shall immediately inform the Commission, in writing, of such an event.
4. EchoStar's Technical Operations Center (TOC) at 307-633-5266 is manned 24 hours per day, 7 days per week.
5. Grant of this authorization is without prejudice to any determination that the Commission may make regarding EchoStar pending application IBFS File No. SES-MFS-20130905-00778.
6. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release.

 <b>GRANTED</b> International Bureau	<b>File #</b> <u>SES-STA-20140523-00385</u>
	<b>Call Sign</b> <u>E980118</u> <b>Grant Date</b> <u>6-16-14</u>
	<b>(or other identifier)</b>
	<b>From</b> <u>7-14-14</u> <b>Term Dates</b> <u>7-14-14</u>
	<b>To:</b> <u>7-19-14</u>
<b>Approved</b> _____	

<b>2. Contact</b>	
<b>Name:</b> Phuong Pham	<b>Phone Number:</b> 202-783-4141
<b>Company:</b> Wilkinson Barker Knauer, LLP	<b>Fax Number:</b> 202-783-5851
<b>Street:</b> 2300 N Street, NW Suite 700	<b>E-Mail:</b> PPham@wbklaw.com
<b>City:</b> Washington	<b>State:</b> DC
<b>Country:</b> USA	<b>Zipcode:</b> 20037 -
<b>Attention:</b>	<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 55.7 N	

9. State WY	10. Longitude (dd mm ss.s h) 104 44 11.5 W
11. Please supply any need attachments. Attachment 1: 1 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.) Applicant seeks a 5-day STA to perform testing for emergency TT&C operations with the DBSD G-1 satellite over C-band frequencies using two earth stations. See attached 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"; for these purposes. Yes <input checked="" type="radio"/> No <input type="radio"/>	
14. Name of Person Signing Jennifer Manner	15. Title of Person Signing Vice President of Regulatory Affairs
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.**

## APPLICATION FOR SPECIAL TEMPORARY AUTHORITY

### I. INTRODUCTION

EchoStar Broadcasting Corporation (“EBC,” and with its affiliates, “EchoStar”) hereby requests 5-day special temporary authority (“STA”) to perform testing for emergency telemetry, tracking, and control (“TT&C”) operations with the New DBSD Satellite Services G.P. (“DBSD”) G-1 satellite (Call Sign S2651) over C-band frequencies using two earth stations (Call Signs E980118 and E020233). Specifically, EchoStar requests STA to conduct its testing using the following frequencies: 6424.5 and 5925.5 MHz (uplink to satellite); and 3701.5 and 4198.5 MHz (downlink from satellite). EchoStar also requests, to the extent required, a temporary waiver of Section 25.202(g) of the Federal Communications Commission’s (“Commission”) rules for the duration of the STA. EchoStar asks that this authorization commence on July 14, 2014 and run through July 18, 2014.

EchoStar has pending modification requests for these two earth stations to permit C-band TT&C operations with the DBSD G-1 satellite under certain circumstances pursuant to its coordination agreement with Intelsat License LLC (“Intelsat”), which is authorized to operate at the nominal 93° W.L. orbital location.<sup>1</sup> The tests undertaken pursuant to the requested STA will enable EchoStar to ensure that these emergency TT&C frequencies remain available should they be needed.<sup>2</sup> This is the third year that EchoStar has requested STA to perform annual testing of

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<sup>1</sup> See Narrative, File Nos. SES-MFS-20120612-00507, Call Sign E980118 (filed June 12, 2012); SES-MFS-20120612-00506, Call Sign E020233 (filed June 12, 2012); *see also New ICO Satellite Services G.P.*, 21 FCC Rcd 14612 ¶ 15 n.43 (IB 2006).

<sup>2</sup> EchoStar also has earth station modification applications to permit C-band TT&C operations with DBSD G-1 pending at the FCC File No. ~~SES-MFS-20130905-00778~~, Call Sign E980118 (filed Sept. 5, 2013); and File No. SES-MFS-20130905-00779, Call Sign E020233 (filed Sept. 5, 2013).

these C-band frequencies with DBSD G-1; EchoStar asked for, and received, similar authority in 2012 and 2013 for these same earth stations.

## **II. THE REQUESTED SPECIAL TEMPORARY AUTHORITY IS IN THE PUBLIC INTEREST**

The Commission has a long-standing policy of granting STA where such authorization will serve the public interest, convenience and necessity, and does not cause harmful interference.<sup>3</sup> The requested operations meet these tests.

DBSD G-1 is a UK-flagged satellite operating at the 92.85° W.L. orbital location, authorized under a Letter of Intent (“LOI”) to provide Mobile-Satellite Services (“MSS”) using the 2000-2010 and 2190-2200 MHz band, feeder-link transmissions using 18.55-18.8/19.7-20.2 GHz (Earth-to-space) and 29.25-30.0 GHz (space-to-Earth) bands, and primary TT&C transmissions at 29.9955 and 29.9995 GHz (command) and 20.1965 and 20.1985 GHz (telemetry).<sup>4</sup> On March 2, 2012, the Commission approved the transfer of control over DBSD’s authorizations, including the LOI authorization for the G-1 satellite, to DISH Network Corporation (“DISH”).<sup>5</sup> EchoStar provides technical and operational support for the G-1 satellite.

The requested STA serves the public interest because it will allow EchoStar to ensure that it will be able to maintain control over DBSD G-1 in the event of an emergency affecting the

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<sup>3</sup> See, e.g., Columbia Communications Corp., *Order*, 11 FCC Rcd 8639, 8640 (IB 1996); American Telephone & Telegraph Co., *Order*, 8 FCC Rcd 8742 (CCB 1993); Newcomb Communications, Inc., *Order and Authorization*, 8 FCC Rcd 3631, 3633 (CCB 1993).

<sup>4</sup> See Stamp Grant, File Nos. SAT-MOD-20070919-00129, Call Sign S2651 (Apr. 2, 2008); SAT-AMD-20071129-00166, Call Sign S2651 (Apr. 2, 2008).

<sup>5</sup> See DBSD North America, Inc., Debtor-in-Possession; New DBSD Satellite Services G.P., Debtor-in-Possession; Pendrell Corporation, Transferor; and TerreStar License Inc., Debtor-in-Possession; Assignor, and DISH Network Corporation, Transferee; and Gamma Acquisition L.L.C.; Assignee, *Order*, 27 FCC Rcd 2250 (IB 2012).

satellite's primary TT&C frequencies, decreasing the chance of loss of service from the G-1 satellite itself and from satellites operating nearby.

Further, grant of this application will not cause harmful interference to any other lawful user of spectrum. The DBSD G-1 satellite's C-band TT&C capabilities allow it to independently select frequencies in 250 kHz increments over 5 MHz bandwidth at the band edges, and can be changed in orbit if required, allowing flexibility to coordinate any temporary use of the C-band frequencies. Moreover, an agreement is in place with Intelsat, which has C-band authorization at the nominal 93° W.L. orbital location, to permit use of the frequencies requested herein when certain circumstances exist,<sup>6</sup> and the particular testing operations at issue here are being conducted in coordination with Intelsat.

### **III. THE REQUESTED WAIVER IS IN THE PUBLIC INTEREST**

Section 25.202(g) of the Commission's rules requires operators of "U.S. domestic satellites" to conduct their TT&C functions in the same frequency bands in which they are providing service, and using frequencies designed to minimize interference into other satellite networks.<sup>7</sup> The International Bureau has deferred requests from DBSD to use the C-band for TT&C until DBSD presented the issue "in the context of an earth station application that seeks authority to use C-band" to communicate with the DBSD G-1 satellite—the very subject of this STA and waiver request.<sup>8</sup>

The Commission may waive its rules for good cause shown, particularly where strict compliance with a rule is inconsistent with the public interest when taking "into account

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<sup>6</sup> See *New ICO Satellite Services G.P.*, 21 FCC Rcd 14612 ¶ 15 n.43 (IB 2006).

<sup>7</sup> 47 C.F.R. § 25.202(g).

<sup>8</sup> See Stamp Grant, File Nos. SAT-MOD-20070919-00129, Call Sign S2651 (Apr. 2, 2008); SAT-AMD-20071129-00166 ¶ 3, Call Sign S2651 (Apr. 2, 2008).



considerations of hardship, equity, or more effective implementation of overall policy.”<sup>9</sup> Such a waiver is in the public interest here. EchoStar is requesting authorization to conduct testing of DBSD G-1’s TT&C subsystem over the C-band in order to decrease the chance of loss of service from the G-1 satellite itself and from satellites operating nearby in the unlikely event that DBSD G-1’s primary TT&C capabilities are compromised. Thus, waiving Section 25.202(g) for this testing would decrease the risk of losing service from DBSD.<sup>10</sup>

#### **IV. OPERATIONAL PARAMETERS**

EchoStar will conduct operations pursuant to the requested STA subject to the following conditions:

- C-band operations shall be on a non-harmful interference basis, meaning that C-band communications with DBSD G-1 shall not cause harmful interference to, and shall not claim protections from interference caused to it by, any other lawfully operating satellites.
- In the event that any harmful interference is caused as a result of C-band TT&C operations with DBSD G-1, EchoStar shall cease all C-band operations with DBSD G-1 immediately upon notification of such interference and will immediately inform the Commission, in writing, of such event.

#### **V. CONCLUSION**

EchoStar respectfully requests grant of the requested 5-day STA from July 14, 2014 through July 18, 2014 and a temporary waiver of Section 25.202(g) to perform testing of DBSD G-1’s C-band TT&C subsystem as in the public interest.

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<sup>9</sup> 47 C.F.R. § 1.3; *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969).

<sup>10</sup> The Commission has allowed out-of-band TT&C where such operations are coordinated with co-frequency spectrum users. *See, e.g., Astrolink Int’l LLC*, 15 FCC Rcd 23738 ¶ 9 (IB 2000).