

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:  
Renewal of Summerset (E150098) STA for EchoStar 23

1. Applicant

|            |                            |               |              |
|------------|----------------------------|---------------|--------------|
| Name:      | EchoStar Operating L.L.C.  | Phone Number: | 301-428-5893 |
| DBA Name:  |                            | Fax Number:   |              |
| Street:    | 100 Inverness Terrace East | E-Mail:       |              |
| City:      | Englewood                  | State:        | CO           |
| Country:   | USA                        | Zipcode:      | 80112        |
| Attention: | Jennifer Manner            |               |              |

|                                                                                                                                |                                    |                                                     |                |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------------------------|----------------|
| <br><b>GRANTED</b><br>International Bureau | File #                             | <del>SES-STA-20190610-00748</del><br><u>E150098</u> |                |
|                                                                                                                                | Call Sign<br>(or other identifier) | Grant Date                                          | <u>6-18-19</u> |
|                                                                                                                                | Term Dates                         | From:                                               | To:            |
|                                                                                                                                |                                    | <u>6-18-19</u>                                      | <u>8-31-19</u> |
|                                                                                                                                | Approved:                          | <u>Paul E. Harris</u>                               |                |

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------|-------------------------------|
| <b>2. Contact</b>                                                                                                                                                                     |                           |                      |                               |
| <b>Name:</b>                                                                                                                                                                          | Jennifer A. Manner        | <b>Phone Number:</b> | 301-428-5893                  |
| <b>Company:</b>                                                                                                                                                                       | EchoStar Operating L.L.C. | <b>Fax Number:</b>   |                               |
| <b>Street:</b>                                                                                                                                                                        | 11717 Exploration Lane    | <b>E-Mail:</b>       | jennifer.manner@echostar.ccom |
| <b>City:</b>                                                                                                                                                                          | Germantown                | <b>State:</b>        | MD                            |
| <b>Country:</b>                                                                                                                                                                       | USA                       | <b>Zipcode:</b>      | 20876 -                       |
| <b>Attention:</b>                                                                                                                                                                     |                           | <b>Relationship:</b> | Same                          |
| (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 SESMFS2019021400091 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 checked="" type="radio"/> Use Prior to Grant <input type="radio"/> Change Station Location <input type="radio"/> Other                                                         |                           |                      |                               |
| 6. Requested Use Prior Date                                                                                                                                                           |                           |                      |                               |
| 06/18/2019                                                                                                                                                                            |                           |                      |                               |

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|--|
| 7. City/Summerset                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 8. Latitude<br>(dd mm ss.s h) 44 11 14.4 N                               |  |
| 9. State SD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 10. Longitude<br>(dd mm ss.s h) 103 20 9.6 W                             |  |
| 11. Please supply any need attachments.<br>Attachment 1: 1<br>Attachment 2:<br>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><div style="border: 1px solid black; padding: 5px;"> Seeking renewal of special temporary authority to operate earth station for TT&amp;C and feeder link communications with the EchoStar 23 satellite during its relocation to, and operations at, 72.6 W.I. See Attachment 1. </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.<br>Yes <input checked="" type="radio"/> No <input type="radio"/> |                                                                          |  |
| 14. Name of Person Signing<br>Jennifer A. Manner                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 15. Title of Person Signing<br>Senior Vice President, Regulatory Affairs |  |
| 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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**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.**

Applicant: EchoStar Operating L.L.C.  
File No.: SES-STA-20190610-00748  
Call Sign: E150098  
Special Temporary Authority



File # SES-STA-20190610-00748  
Call Sign E150098 Grant Date 6-18-19  
(or other identifier)  
Term Dates  
From: 6-18-19 To: 8-17-19  
Approved: Paul E. Black

EchoStar Operating L.L.C. ("EchoStar") is granted a special temporary authority for 60 days, starting June 18, 2019, to operate its earth station in Summerset, SD, to provide telemetry, tracking, and command ("TT&C") for the EchoStar 23 satellite during the satellite's drift from its current location at 44.9° W.L. to the 72.6° W.L. orbital location. Operations are limited to frequency bands 17.3-17.310, 17.791 GHz (Earth-to-space) and 12.20-12.21GHz (space-to-Earth) under the following conditions:

- 1 Operations will not exceed the operational power levels and parameters coordinated.
2. All operations under this grant of special temporary authority 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 under this grant of special temporary authority, EchoStar must cease operations immediately upon notification of such interference, and must inform the Commission, in writing, immediately of such an event.
4. All operators of satellites will be provided with an emergency phone number where the licensee can be reached in the event that harmful interference occurs, Currently the 24x7 contact information for the EchoStar satellite is Ph.: (307) -633-5225. Ask for Silas Cole.
5. EchoStar Operating L.L.C. must apply for market access via an earth or space station license request. This authorization does grant authority for market access in the US.
6. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at EchoStar's risk.
7. Grant of this authorization is without prejudice to any determination that the Commission may make regarding pending or future EchoStar's 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.

## EXHIBIT 1

### DESCRIPTION OF PROPOSED STA OPERATIONS

Pursuant to Section 25.120(b)(4) of the Commission's rules,<sup>1</sup> EchoStar Operating L.L.C. (together with its affiliates, "EchoStar") requests special temporary authority ("STA") for 30 days, commencing on or approximately June 17, 2019, to operate five earth stations in Summerset, SD; Blackhawk, SD; Cheyenne, WY; Quicksburg, VA; and, Gilbert, AZ (Call Signs E150098, E020248, E980005, E170094, and E070014) for telemetry, tracking, and command ("TT&C") communications to support the EchoStar 23 satellite's brief interim operations at 67.9° W.L. prior to its planned relocation and operations at the 72.6° W.L. orbital location. Launched in March 2017, EchoStar 23 is a Brazilian-licensed Ku-band Broadcasting-Satellite Service ("BSS") satellite initially authorized to operate at 44.9° W.L. Despite initial plans to operate EchoStar 23 to provide direct-to-home ("DTH") television service to Brazil, EchoStar has determined that the satellite will be better utilized at the 72.6° W.L. orbital location, in conjunction with the Canadian-licensed Nimiq 5 satellite at 72.7° W.L., to support ongoing DTH service for DISH Network, L.L.C.'s (together with its affiliates, "DISH") satellite television network. Accordingly, EchoStar plans to commence moving EchoStar 23 on June 17, 2019 from 44.9° W.L. to 72.6° W.L.<sup>2</sup> for service to DISH subscribers in the United States and Canada.<sup>3</sup>

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<sup>1</sup> See 47 C.F.R. § 25.120(b)(4).

<sup>2</sup> On April 18, 2019, the Commission granted 60-day STAs to operate five earth stations (Call Signs E150098, E170094, E070014, E980005, and E020248) for TT&C communications with the EchoStar 23 satellite during its drift from 44.9° W.L. to 72.6° W.L. See *Satellite Communications Services Information re: Actions Taken*, Public Notice, FCC Report No. SES-02156, at 29-30 (Apr. 24, 2019). EchoStar also has pending modification applications to operate the same five earth stations for TT&C and feeder link communications with EchoStar 23 during its relocation and operations at 72.6° W.L. See *EchoStar, Applications for Modification*, IBFS File Nos. SES-MFS-20190308-00275 & SES-MFS-20190214-00088 *et seq.* (Mar. 8 & Feb. 14, 2019).

Prior to completing the relocation of EchoStar 23 to 72.6° W.L., EchoStar seeks to operate the satellite at the 67.9° W.L. orbital location for a brief interim period until EchoStar obtains authorization from the Canadian Administration to operate at the 72.6° W.L. orbital location.<sup>4</sup> Accordingly, the requested STA will allow EchoStar to operate EchoStar 23 at 67.9° W.L. for a brief interim period until Canadian authorization may be secured for operations at 72.6° W.L. EchoStar has no plans to bring into use any International Telecommunication Union filings at or near the 67.9° W. L. orbital location.

For TT&C communications with EchoStar 23 at 67.9° W.L., the subject earth stations will operate on the following frequencies, consistent with the frequency bands and other technical parameters specified under their existing licenses:

- 17.300 – 17.310 GHz and 17.791 GHz for TT&C uplinks; and
- 12.200 – 12.210 GHz for TT&C downlinks.

These earth stations have been frequency coordinated over a geostationary satellite arc that includes the 67.9° W.L. orbital location. Thus, the proposed STA operations will not cause harmful interference to other authorized operations.<sup>5</sup> Nonetheless, in the unlikely event of harmful interference, EchoStar is prepared to take appropriate measures to eliminate such interference, including immediately discontinuing the interfering operations upon receiving notice of such interference.

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<sup>3</sup> A modification application for blanket licensing authority to operate receive-only U.S. earth stations for reception of service from the EchoStar 23 satellite at 72.6° W.L. is currently pending. *See* DISH, Application for Modification, IBFS File No. SES-MFS-20190507-00566 (May 7, 2019).

<sup>4</sup> EchoStar is aware that SES-10 operates at the 66.9° W.L. orbital location and is working with SES to ensure that its TT&C operations do not interfere with SES-10.

<sup>5</sup> Additionally, the proposed STA operations are substantially consistent with Section 25.118(a)(3) of the Commission's rules, allowing earth station operators to change a satellite point of communication without prior authorization under certain circumstances when an earth station antenna is not repointed beyond the coordinated range. *See* 47 C.F.R. § 25.118(a)(3).

Grant of the requested STA will serve the public interest by allowing EchoStar the flexibility to manage its satellite fleet efficiently, provide for more productive use of its satellites, and further ensure full use of spectrum and uninterrupted service from the 72.6° W.L. orbital location. Indeed, the Commission has a longstanding policy of leaving fleet management decisions to satellite operators because doing so generally serves the public interest.<sup>6</sup>

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<sup>6</sup> See *SES Americom, Inc.*, Order and Authorization, 21 FCC Rcd 3430, 3433 ¶ 8 (2006) (FCC “generally has allowed satellite operators to rearrange satellites in their fleet to reflect business and customer considerations where no public interest factors are adversely affected”); *AMSC Subsidiary Corporation*, Order and Authorization, 13 FCC Rcd 12316, 12318 ¶ 8 (IB 1998) (finding that that a satellite licensee “is in a better position to determine how to tailor its system to meet the particular needs of its customers”).