

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

In the Matter of)	
)	File No. SES-STA-_____ - _____
)	
DISH OPERATING L.L.C. AND)	Call Sign E050029
ECHOSTAR BROADCASTING CORPORATION)	Call Signs E950288, E970394, E980178
)	
Application for Emergency Special)	
Temporary Authority to Allow)	
Communications with the Ciel-2 Satellite)	
Outside of Its Station-keeping Limits)	
)	

APPLICATION FOR EMERGENCY SPECIAL TEMPORARY AUTHORITY

Pursuant to Sections 25.120(a) and 25.120(b) of the Commission’s rules,¹ DISH Operating L.L.C. (“DISH”) and EchoStar Broadcasting Corporation (“EchoStar”) hereby request emergency Special Temporary Authority (“STA”) to permit communications with the Ciel-2 satellite licensed by Canada to Ciel Satellite Communications (“Ciel”), an affiliate of SES New Skies (with Ciel, “SES”), outside of its station-keeping limits for a period of ten days while the satellite is returned to its Canadian-licensed 128.85° W.L. orbital location (plus or minus 0.05 degrees for station-keeping) in order to correct an excursion that was beyond DISH’s or EchoStar’s control.

As the Commission is aware, DISH’s affiliate, DISH Network L.L.C. (“DISH Network”), provides Direct Broadcast Satellite (“DBS”) service to consumers through DISH’s blanket earth

¹ 47 C.F.R. § 25.120(a), (b).

station authorization to communicate with the Ciel-2 satellite.² EchoStar, for its part, holds feeder link earth station authorizations to communicate with Ciel-2.³

During the evening of Tuesday, September 13, 2011, an operational problem at the Canadian satellite Ciel-2 ground control station, located in Canada, caused the satellite to lose earth pointing. This, in turn, resulted in the disruption of service to some DISH Network DBS subscribers. Service has since been restored. But DISH and EchoStar have been informed by SES that the process of restoring the satellite with the correct orbital attitude parameters caused the satellite to drift west. SES is expected to cause the satellite's drift to stop at 129.2° W.L. on September 15, 2011. SES will then cause the satellite to drift back to the nominal station-keeping box at 128.85° W.L. +/- 0.05°, a drift that it expects to complete by Monday, September 19, 2011. DISH and EchoStar understand that at no time did the satellite veer outside the 128.8°-129.2° W.L. orbital cluster allotted to Canada under the International Telecommunication Union's Region 2 Broadcasting-Satellite Service Plan.

Nevertheless, although the satellite is not licensed to either of them, DISH and EchoStar request this STA because their market access and earth station authorizations are conditioned on Ciel-2 being operated within +/- 0.05° of the 128.85° W.L. orbital location. According to the authorizations, "Ciel shall not operate the Ciel-2 satellite outside of these station-keeping limits without further authorization."⁴ STA to permit continued communications with Ciel-2 is warranted because there is nothing DISH or EchoStar could have done to prevent this event from

² DISH Operating L.L.C., Call Sign E050029.

³ EchoStar Broadcasting Corporation, Call Sign E950288; EchoStar Broadcasting Corporation, Call Sign E970394; EchoStar Broadcasting Corporation, Call Sign E980178.

⁴ DISH Operating L.L.C., Call Sign E050029, Condition 491; EchoStar Broadcasting Corporation, Call Sign E950288, Condition 491; EchoStar Broadcasting Corporation, Call Sign E970394, Condition 491; EchoStar Broadcasting Corporation, Call Sign E980178, Condition 491.

occurring, and the STA will permit continued service with no further expected disruptions to DISH Network customers while the orbital maneuvers are being executed to return the satellite to the 128.85° W.L. nominal orbital location. The STA could not have been requested earlier than today as the satellite's orbital parameters and drift were not reported to DISH and EchoStar until the morning of Wednesday, September 14, 2011.⁵

The requested authority will cause no harmful interference to other satellites, because the maximum excursion of the Ciel-2 satellite to the 129.2° W.L. orbital location and its drift back to 128.85° W.L. will only mean a slightly greater spatial separation from the nearest DBS satellite, which is located at 119.1° W.L. With respect to collision risk and space debris mitigation, the closest adjacent satellite to the Ciel-2 satellite is AMC 11 at 131° W.L and Galaxy 13 at 127° W.L., and therefore the requested authority poses no risk for another spacecraft.

In conclusion, DISH and EchoStar request that STA be granted for a period of ten days, until (and including) September 23, 2011, to permit communications with the Ciel-2 satellite while it drifts back to within its station-keeping limits for its licensed 128.85° W.L. orbital location.

Respectfully submitted,

/s/

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⁵ See 47 C.F.R. § 25.120(a).