



SES-T/C-20091211-01575  
SES-T/C-20091211-01576  
SAT-T/C-20091211-00144

File # \_\_\_\_\_

Call Sign \_\_\_\_\_ Grant Date 2/11/2011  
(or other identifier)

Term Dates  
From 3/28/2011 To: 7/28/2011

Approved: Jeanette R. Spruzo



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February 10, 2011

**By Electronic Filing**

Marlene L. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Request for Extension of Time to Consummate Transfer of Control  
File Nos. SES-T/C-20091211-01575, SES-T/C-20091211-01576 & SAT- T/C-  
20091211-00144

Dear Ms. Dortch:

Pursuant to Section 1.46 of the Commission's rules,<sup>1</sup> New DBSD Satellite Services G.P., Debtor-in-Possession (together with its debtor-affiliates, "DBSD") hereby requests a further extension of the period (the "Transfer Period") to consummate the transfer of control of its earth station licenses, as approved by the Commission,<sup>2</sup> from March 28 through July 28, 2011.<sup>3</sup>

Good cause exists for a further extension. On October 5, 2010, the United States Court of Appeals for the Second Circuit (the "Second Circuit") stayed consummation of DBSD's original plan of reorganization ("Original Plan") pending the outcome of two appeals.<sup>4</sup> On February 7, 2011, the Second Circuit issued a written opinion affirming in part and reversing in part the bankruptcy court order approving the Original Plan, and remanding the case for further proceedings consistent with its opinion.<sup>5</sup> DBSD has filed with the bankruptcy court a modified plan of reorganization that would allow consummation consistent with existing Commission

<sup>1</sup> See 47 C.F.R. § 1.46.

<sup>2</sup> See *New DBSD Satellite Services G.P., Debtor-in-Possession*, 25 FCC Rcd 13664 (IB 2010).

<sup>3</sup> See 47 C.F.R. § 25.119(f). DBSD previously obtained an extension of the Transfer Period through March 28, 2011. See Letter from Peter A. Corea, DBSD, to Marlene L. Dortch, Secretary, FCC, File Nos. SES-T/C-20091211-01575 *et al.* (Oct. 18, 2010) (stamp-granted on Oct. 22, 2010).

<sup>4</sup> *In re: DBSD N. Am., Inc.*, Case No. 10-1175 (2d Cir. Oct. 5, 2010) (order staying consummation); see also *Sprint Nextel Corp. v. DBSD N. Am., Inc. (In re DBSD N. Am., Inc.)*, Case No. 10-1352 (2d Cir. filed Oct. 5, 2010); *DISH Network Corp. v. DBSD N. Am., Inc. (In re DBSD N. Am., Inc.)*, Case No. 10-1175 (2d Cir. filed Oct. 5, 2010).

<sup>5</sup> *In re DBSD N. Am., Inc.*, 2010 U.S. App. Lexis 27007 (2d Cir. Dec. 6, 2010, opinion filed Feb. 7, 2011).

approval and the Second Circuit opinion, but has tabled that plan pending further consideration of an alternative proposal made by DISH Networks (“DISH”). Notably, DBSD filed a motion with the bankruptcy court seeking approval of an investment agreement with DISH, which, if approved, would form the foundation for an alternative plan of reorganization. Additionally, during a status conference on February 7, 2011, the bankruptcy court noted that it expects “aggressive efforts by the debtors to do whatever it takes to maximize value for the estate and entertain alternative offers.”<sup>6</sup>

DBSD thus believes it is prudent to withhold seeking confirmation of the modified plan of reorganization until it considers all reasonable alternative proposals, including the DISH proposal, and receives bankruptcy court approval of a final plan of reorganization. Grant of this request for further extension through July 28, 2011 would maintain the status quo, preserve Commission resources, and maximize regulatory flexibility, while allowing DBSD additional time to meet its fiduciary duties and secure bankruptcy court approval of a final plan of reorganization.

Please direct any questions regarding this submission to the undersigned.

Respectfully submitted,

/s/ Peter A. Corea

Peter A. Corea

cc: Mindel de la Torre  
Roderick Porter  
Robert Nelson  
Karl Kensinger  
Jeanette Spriggs  
Stewart Block  
Sally Stone

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<sup>6</sup> Transcript of Status Conference at 62, *In re DBSD N. Am., Inc.*, Case No. 09-13061 (Bankr. S.D.N.Y. Feb. 7, 2011).