

# memorandum

DATE: May 19, 2011

TO: IB Docket No. 11-55.

FROM: Fern Jarmulnek *FJ*  
Deputy Chief, Satellite Division

SUBJECT: Additional information concerning meeting between EchoStar and FCC staff ;  
EchoStar summary, dated May 18, 2011, of ex parte meetings.

The following is provided as additional information concerning the referenced meetings:

1. At the initial meeting, the staff provided its view that acquiring through a transaction another company's pending applications for new satellites would render those applications "new" for purposes of section 25.159(d) of the rules.
2. At the initial meeting and in subsequent meetings, the FCC staff and EchoStar representatives discussed possible approaches and options for either coming within the limits specified in Section 25.159(d) of the Commission's rules, or rebutting the presumption arising under that rule.
3. Karl Kensinger did not participate in the May 17, 2011, telephone conference.