

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) 30-Day 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		

	File #	<u>SES-STA-20190812-01094</u>	
	Call Sign	<u>E150098</u>	
	Grant Date	<u>10-17-19</u>	
	(or other identifier)		
	Term Dates	From:	To:
		<u>10-17-19</u>	<u>11-16-19</u>
	Approved:	<u>[Signature]</u>	

GRANTED
International Bureau

2. Contact			
Name:	Jennifer A. Manner	Phone Number:	301-428-5893
Company:	EchoStar Operating L.L.C.	Fax Number:	
Street:	11717 Exploration Lane	E-Mail:	jennifer.manner@echostar.com
City:	Germantown	State:	MD
Country:	USA	Zipcode:	20876 -
Attention:		Relationship:	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 SESSTA2019071100917 or Submission ID			
4a. Is a fee submitted with this application?			
☒ If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). ☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other (please explain):			
4b. Fee Classification CGX – Fixed Satellite Transmit/Receive Earth Station			
5. Type Request			
☐ Use Prior to Grant ☐ Change Station Location ☒ Other			
6. Requested Use Prior Date 08/18/2019			

7. CitySummerset	8. Latitude (dd mm ss.s h) 44 11 14.4 N
9. State SD	10. Longitude (dd mm ss.s h) 103 20 9.6 W
11. Please supply any need attachments. Attachment 1: Exhibit 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.) Seeking renewal of 30-day special temporary authority to operate earth station for TT&C communications with the EchoStar 23 satellite for interim operations at 67.9 W.L. prior to its planned relocation and operations at 72.6 W.L. See Exhibit 1.	
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 ☒ No ☐	
14. Name of Person Signing Jennifer A. Manner	15. Title of Person Signing Senior Vice President, 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.

Applicant: EchoStar BSS Corporation
Call Sign: E150098
File No.: SES-STA-20190812-01094
Special Temporary Authority ("STA")



File # SES-STA-20190812-01094
Call Sign E150098 Grant Date 10-17-19
(or other identifier)
Term Dates
From: 10-17-19 To: 11-16-19
Approved: Paul E. Han

EchoStar BSS Corporation is granted Special Temporary Authority for 30 days beginning October 17, 2019 to operate its fixed earth station in Summerset, SD to provide TT&C service to the ECHOSTAR 23 satellite at the 67.9° W.L. orbital location in the 17.300 – 17.310 GHz and (Earth-to-space) and 12.200 – 12.210 GHz (space-to-Earth) frequency bands and on center frequency 17.791 GHz (Earth-to-space) under the following conditions:

1. Operations may not exceed the transmission limits currently authorized for this station.
2. All operations by EchoStar BSS Corporation are on an unprotected basis. EchoStar BSS Corporation may not claim protection from interference caused to them by any other lawfully operating station.
3. In the event that any harmful interference is caused as a result of STA operation, EchoStar BSS Corporation shall cease operations immediately upon notification of such an event, and shall inform the Commission immediately, in writing, of the event.
4. Any action taken or expense incurred as a result of operations pursuant to this STA is solely at EchoStar BSS Corporation own risks.
5. The licensee shall take all necessary measures to ensure that the antenna does not create potential exposure of humans to radiofrequency radiation in excess of the FCC exposure limits defined in 47 CFR 1.1307(b) and 1.1310 wherever such exposures might occur. Measures must be taken to ensure compliance with limits for both occupational/controlled exposure and for general population/uncontrolled exposure, as defined in these rule sections. Compliance can be accomplished in most cases by appropriate restrictions, such as fencing. Requirements for restrictions can be determined by predictions based on calculations, modeling, or by field measurements. The FCC's OET Bulletin 65 (available on-line at www.fcc.gov/oet/rfsafety) provides information on predicting exposure levels and on methods for ensuring compliance, including the use of warning and alerting signs and protective equipment for workers.
6. EchoStar BSS Corporation's operations during the period August 18, 2019 to the date of this grant were authorized pursuant to Section 1.62 of the Commission's rules 47 C.F.R. § 1.62.
7. Grant of this authorization is without prejudice to any determination that the Commission may make regarding EchoStar BSS Corporation pending FCC 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

REQUEST FOR RENEWAL OF SPECIAL TEMPORARY AUTHORIZATION

Pursuant to Section 25.120(b)(4) of the Commission's rules,¹ EchoStar Operating L.L.C. (together with its affiliates, "EchoStar") requests renewal of its special temporary authorizations ("STAs") for an additional 30 days, until September 16, 2019, to operate five earth stations in Gilbert, AZ; Blackhawk, SD; Quicksburg, VA; Cheyenne, WY; and Summerset, SD (Call Signs E070014, E020248, E170094, E980005, and E150098) 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.²

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, on July 2, 2019, EchoStar commenced moving EchoStar 23 from 44.9° W.L. to 72.6° W.L.³ for service to DISH subscribers in the United States and Canada.⁴

¹ See 47 C.F.R. § 25.120(b)(4).

² See EchoStar, Applications for STA, IBFS File Nos. SES-STA-20190711-00919, SES-STA-20190711-00920, SES-STA-20190711-00916, SES-STA-20190711-00918 & SES-STA-20190711-00917 (filed July 11, 2019). File No. SES-STA-20190711-00917 was granted on July 16, 2019.

³ EchoStar holds additional 60-day STAs to operate the same 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-02173, at 43-44 (June 19, 2019). EchoStar also has

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.⁵ 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.⁶ Nonetheless, in the unlikely event of harmful interference, EchoStar is prepared to take appropriate measures to eliminate such

pending modification applications to operate these 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).

⁴ 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).

⁵ EchoStar is aware that SES-10 operates at the 66.9° W.L. orbital location and has an arrangement with SES to ensure that its TT&C operations do not interfere with SES-10.

⁶ 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).

interference, including immediately discontinuing the interfering operations upon receiving notice of such interference.

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.⁷

⁷ 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”).