



October 17, 2018

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Comments on Recommendations Approved by World Radiocommunication
Conference Advisory Committee, IB Docket 16-185

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation and Hughes Network Systems, LLC (collectively, and together with its affiliates, “EchoStar”) submit these comments on the World Radiocommunication Conference 2019 Advisory Committee (“WAC”) recommendations on issues to be considered at the 2019 World Radiocommunication Conference (“WRC-19”).¹ Specifically, we urge the Commission: (1) to adopt View D with respect to high altitude platform stations (“HAPS”) under Agenda Item 1.14, (2) to accept, with one modification, the NTIA Radio Communication Subcommittee (“RCS”) proposal on Agenda Item 7, issue A. We urge the FCC to present these proposals, as modified, to the U.S. Department of State as United States Proposals to WRC-19, and to urge the State Department to submit these proposals to the upcoming meeting of CITEL PCC.II for adoption as a CITEL Inter-American Proposal going forward for WRC-19.

Agenda Item 1.14

EchoStar supports View D on Agenda Item 1.14.² The extensive proposals developed by proponents within the WAC process, while reflecting a great deal of effort, presume certain conditions for co-frequency/co-coverage operations between HAPS networks in the fixed service and FSS satellite networks and systems that remain under development within the ITU-R. Until protection of FSS networks and systems by HAPS networks in the fixed service is able to be confirmed, there is no opportunity for changes to existing HAPS designations in the currently-identified fixed service bands. Accordingly, at this time, there should be no change to the HAPS designations in the fixed service bands used by the fixed-satellite service, and no new HAPS designations. We anticipate that at a future point, and in time for consideration by WRC-19, we may be able to agree with the proponents of View A on appropriate protection provisions that will allow for new or improved designations for HAPS in fixed service bands on a co-frequency/co-coverage basis with the FSS in some or all of the bands under study.

¹ See Public Notice, *International Bureau Seeks Comment on Recommendations Approved by World Radiocommunication Conference Advisory Committee*, DA 18-1017 (October 3, 2018) (hereinafter “Public Notice”).

² *Id.*, Attachment A, at 85.



Agenda Item 7, Issue A

EchoStar generally supports the RCS proposal for Agenda Item 7, Issue A,³ with one significant reservation. The proposal to allow an NGSO system to be considered brought into use upon the deployment and maintenance of a single satellite in a single orbital plane for only one day is not a sufficient standard and will encourage speculation. While the deployment period specified for GSO systems (90 days) may or may not be appropriate for NGSO systems for the reasons stated in the RCS proposal, a single day is insufficient for an administration or an operator to demonstrate that a space station with the required capability has been deployed in a notified orbital plane with the necessary stability. We encourage the FCC to seek the adoption of a required deployment period sufficient to demonstrate the long-term stability of a spacecraft's orbit and the utility of its communication payloads. One day in orbit is not sufficient to demonstrate either of these criteria.

Conclusion

For the foregoing reasons, EchoStar urges the FCC to adopt the proposals, as modified above, and so inform the U.S. Department of State. The United States should then submit these proposals to the upcoming meeting of CITEL PCC.II for the relevant agenda items for adoption as a CITEL Inter-American Proposal at the upcoming CITEL meeting, and adopt these positions for WRC-19.

Respectfully submitted,

/s/ Jennifer A. Manner

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³ *Id.*, Attachment B, at 47.