



July 6, 2018

**BY ELECTRONIC FILING**

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

**Re:   *Assessment and Collection of Regulatory Fees for Fiscal Year 2018,*  
      **MD Docket No. 18-175****

Dear Ms. Dortch:

EchoStar Satellite Operating Corporation and Hughes Network Systems, LLC (collectively, “EchoStar”) submit these reply comments in the above-referenced further notice of proposed rulemaking with respect to the Federal Communications Commission’s (“Commission”) proposal to adopt a new regulatory fee category for small satellites (“SmallSats”).<sup>1</sup> EchoStar supports the Commission’s efforts to streamline the regulatory processes for SmallSat through the parallel SmallSat NPRM proceeding,<sup>2</sup> and agrees with the Commission that as an entity authorized to operate under the Part 25 rules, SmallSat operators should be subject to an annual regulatory fee.<sup>3</sup>

The commercial SmallSat operators who commented during this proceeding consider the Commission’s initial determination that SmallSat annual regulatory fees be set at a ratio of 1/20<sup>th</sup> the rate of currently applicable to non-geostationary orbit (“NGSO”) satellite operators reasonable.<sup>4</sup> EchoStar agrees that the proposed fee for Fiscal Year 2018 appears reasonable on its face. Given that no information exists on how the new processes resulting from the SmallSat NPRM will generate burdens or efficiencies within the International Bureau, EchoStar urges the Commission to set this ratio on a one year basis only; to be re-examined during the Fiscal Year 2019 regulatory fee proceeding, in order to ensure that the fees being assessed to SmallSat operations are sufficient to cover the costs attributable to the new Part 25 processes. Once more data on the costs of SmallSat licensing under the new Part 25 rules is available, the Commission will be in a better position to determine whether the SmallSat regulatory fees should continue as a ratio pinned to NGSO fees or whether they should be independently determined and increased based on the amount of work they result in for the International Bureau staff.

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<sup>1</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2018*, Report and Order and Notice of Proposed Rulemaking, FCC 18-65, at ¶ 32 (rel. May 22, 2018) (“FY 2018 FNPRM”).

<sup>2</sup> *Streamlining Licensing Procedures for Small Satellites*, IB Docket No. 18-86, Notice of Proposed Rulemaking, FCC 18-44 (2018) (“SmallSat NPRM”).

<sup>3</sup> FY 2018 FNPRM, at ¶ 32.

<sup>4</sup> See Comments of Astro Digital et. al., MD Docket No. 18-175, filed Jun. 21, 2018.



Until a sufficient amount of experience has been garnered with the Part 25 rules that stem from the SmallSat NPRM, the ratio for SmallSat regulatory fees should be re-examined on an annual basis to ensure that the resulting fees are commensurate with the workload generated for the International Bureau.

Respectfully submitted,

/s/ Jennifer A. Manner

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