February 12, 2016

Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Ex Parte* Notice
ET Docket No. 15-170; RM-11673

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, EchoStar Technologies LLC and Hughes Network Services, LLC (collectively, "EchoStar") submit this letter summarizing a meeting on February 11, 2016 regarding the above-referenced proceeding. Present at the meeting on behalf of EchoStar were Jennifer A. Manner, Vice President, Regulatory Affairs, and Alexander Gerdenitsch, Senior Principal Engineer; and on behalf of the FCC's Office of Engineering and Technology ("OET") were Bruce Romano, Brian Butler, Jamison Prime, Doshi Rashmi, Bill Hurst, and George Tannahill. During the meeting, EchoStar discussed the points set forth in the attachment, copies of which were distributed to OET staff.

Please direct any questions regarding this matter to the undersigned.

Respectfully Submitted,

/s/ Jennifer A. Manner
Jennifer A. Manner
Vice President, Regulatory Affairs

Attachment

cc: Bruce Romano (FCC)
Brian Butler (FCC)
Jamison Prime (FCC)
Doshi Rashmi (FCC)
Bill Hurst (FCC)
George Tannahill (FCC)

Part 2 Rulemaking:
Continue to Protect Against Harmful Interference by Updating Authorization of Radiofrequency Equipment Rules

Overview

EchoStar Technologies LLC and Hughes Network Services, LLC (collectively, "EchoStar") support the Commission's goal to update its rules governing the evaluation and approval process of radiofrequency devices. As a global leader in providing broadband satellite networks and services for enterprises, governments, small business, and consumers, EchoStar continues to develop innovate equipment including set-top boxes for the telecommunication equipment market. Therefore, we have a significant interest in this proceeding.

EchoStar supports the Commission's goal "to ensure that RF devices operating in the United States do not harmful interference and otherwise comply with our rules."[1] Therefore, it is imperative that the update of the Part 2 rules continue to protect against harmful interference.

Unifying the Declaration of Conformity ("DoC") and Verification Procedure into a Single Self-approval Process.

EchoStar supports the FCC proposal to utilize the single self-approval process called the "Supplier's Declaration of Conformity" ("SDoC") as this reduces the administrative burdens and provides greater clarity. Combining the DoC and verification procedures will reduce cost and time to market for manufacturers.

Keeping Mandatory Use of Accredited Laboratory for DoC.

Eliminating the mandatory use of accredited laboratory requirement for DoC could potentially open the door for laboratories of lesser capability and proficiency to certify devices of poor quality. This would increase the risk that a large number of devices cause harmful interference to radio communications. Accordingly, in order to ensure compliance with the technical rules, it is critical for the Commission to retain the requirement that for the DoC procedure accredited laboratories test the equipment.

The FCC Should Codify the Certification Process to Protect Confidential Information for Short-Term Periods of Up to 180 days.

The Commission's short-term confidentiality rule is very important as it allows protecting sensitive information during the preparation for the marketing of devices and products prior to the actual sales commences. Therefore, EchoStar supports the short-term confidentiality

[1] *See Amendment of Parts 0, 1, 2, 15 and 18 of the Commission's Rules Regarding Authorization of Radiofrequency Equipment*, Notice of Proposed Rulemaking, 30 FCC Rcd 7725 (2015) ¶ 2.

procedure for certain information in certification applications. However, the Commission's proposal allows only for an initial 45-day period of confidentiality with up to three 45-day extensions up to 180 days in total. Requesting up to three extensions seems unnecessary and would create needless burden on equipment vendors. Therefore, the Commission should retain the short-term confidentiality period of 180 days as the current rules require.

Eliminating the FCC Form 740 Filing requirements.

EchoStar supports elimination of Form 740. This form, adopted in 1970, is outdated and redundant, as the information required is already collected by Customs and Border Protection (CBP) in its routine information collection for all imported goods. Accordingly, there is no valid rationale for this form to be retained.