



May 20, 2016

**BY ELECTRONIC FILING**

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

Re: Amendment of Part 2 of the Commission's Rules for Federal Earth Stations Communicating with Non-Federal Fixed Satellite Service Space Stations, ET Docket No. 13-115; Federal Space Station Use of the 399.9-400.05 MHz Band; and Allocation of Spectrum for Non-Federal Space Launch Operations, RM-11341

Dear Ms. Dortch:

On May 19, 2016, EchoStar Satellite Operating Corporation and Hughes Network Services, LLC ("EchoStar") met with the following staff from the Office of Engineering and Technology: Julie Knapp, Chief; Ron Repasi, Deputy Chief; Geri Matisse, Associate Chief; Mark Settle, Chief of the Policy and Rules Division; Jamison Prime and Michael Ha, Deputy Division Chiefs; Nicholas Oros, Division Attorney Advisor; and Aspa Paroutsas, Spectrum Policy Branch Chief. EchoStar was represented by Jennifer A. Manner, Senior Vice President, Regulatory Affairs and Fernando Carrillo, Senior Principal Engineer.

In the meeting, EchoStar's presentation followed the attached talking points, which were provided to participants.

This letter is submitted consistent with the Commission's ex parte rules.<sup>1</sup> Please direct any questions concerning this filing to the undersigned.

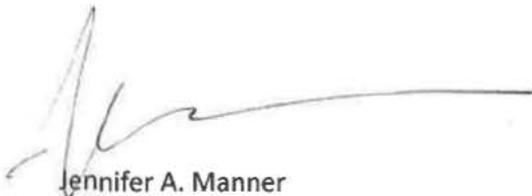
Sincerely,

**EchoStar Satellite Operating  
Corporation/Hughes Network Services, LLC**

/s/ Jennifer A. Manner

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<sup>1</sup> 47 C.F.R. § 1.1206(b)(2).



Jennifer A. Manner  
Senior Vice President, Regulatory Affairs

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cc Julie Knapp  
Ron Repasi  
Geri Matisse  
Mark Settle  
Jamison Prime  
Michael Ha  
Nicholas Oros  
Aspa Paroutsas

## **Regulatory Parity is Critical for Successful Sharing between Federal and Non-Federal**

### **Earth Stations in the FSS Frequency Bands**

- EchoStar supports expanded Federal earth station access to FSS bands, including the Ku, Ka and V bands, provided that there are measures in place to ensure regulatory parity between federal and non-federal uses.
  - EchoStar supports the interference protection approach from the FCC's NPRM or, alternatively, a modified allocation approach under which the FCC would retain its exclusive regulatory jurisdiction, including enforcement authority, over use of the spectrum.
  - There is no reason to provide Federal earth stations any specified rights. To do so, would only disadvantage commercial customers, including government users that utilize non-Federal earth stations for their communications needs.
- Federal uses should be subject to same licensing, coordination, interference protection, technical and ex parte requirements to non-Federal earth stations.
  - This should include public notice requirements.
- These requirements should be incorporated into NTIA's Manual of Regulations and procedures for Federal Radio Frequency Management and should become effective simultaneously with the FCC Part 2 and Part 25 rule changes.