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September 25, 2007

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BY ELECTRONIC FILING

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

Re: *Ex Parte* Filing: IB Docket No. 06-123

Dear Ms. Dortch:

Yesterday Peter Rohrbach and Karis Hastings of Hogan & Hartson, counsel for SES Americom, met with Wayne Leighton, Legal Advisor to Commissioner Tate, to discuss matters relating to the above-referenced proceeding. Rick Langhans, John Nelsen, and Krish Jonnalagadda of SES Americom participated in the discussion by telephone. SES Americom reiterated its opposition to the EchoStar request for revisions to the orbital spacing plan adopted in the Commission's Order in this proceeding. The discussion was consistent with SES Americom's July 10 *ex parte* letter in this docket and with the attached materials, which were distributed at the meeting.

Please direct any questions regarding this submission to the undersigned.

Respectfully submitted,

/s/ Karis A. Hastings

Peter A. Rohrbach
Karis A. Hastings
Counsel to SES Americom, Inc.

Attachment

cc: Wayne Leighton

SES AMERICOM

17/24 GHz Orbital Spacing

September 24, 2007

SES AMERICOM

The FCC's 4º Orbital Spacing Plan For the 17/24 GHz Band is Efficient and Maximizes New Service

- It is consistent with past FCC planning for use of scarce orbital resources
- It accommodates new entry
  - SES and other parties have plans to the serve the US in this band
- It already provides flexibility for particular cases where waivers are justified

SES AMERICOM

EchoStar's "1° Flexibility Proposal" *across the entire arc* is unreasonable and unnecessary

- EchoStar's "single antenna" issue is narrow and easily can be accommodated with minor waivers.
  - All parties agree that the eastern 61.5°W position can be addressed either by a specific waiver or a shift that preserves the 4° grid
  - Similarly, EchoStar can use a single antenna for operations at 110/111°W with only a minor 0.3º to 0.5º offset there. The rules permit EchoStar to request a permanent waiver.
  - Alternatively, EchoStar can request a different orbital position at the 107º W or 115º W grid location to accomplish the same objective.

EchoStar's Needs Can be Met Under the Existing Order

A Blanket "1º Flexibility" Rule Would Unnecessarily Reduce Spectrum Available for New Services

- The rule change would fundamentally undermine 4° spacing by encouraging "off-grid" operations – unnecessarily.
- The rule change would upset business plans of other satellite operators and deter investment in new satellites – unnecessarily.
- The integrity of the 4° grid should not be sacrificed by imposing a blanket solution designed to accommodate the unique needs of EchoStar – unnecessarily.