



*Alison A. Minea
Corporate Counsel
Alison.Minea@dishnetwork.com
(202) 293-0981*

August 21, 2012

EX PARTE PRESENTATION

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation in WT Docket No. 12-70, *Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands*; ET Docket No. 10-142, *Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz*; and WT Docket No. 04-356, *Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network Corporation ("DISH") submits this letter summarizing a meeting on Friday, August 17, 2012 with Ruth Milkman, Chief, Wireless Telecommunications Bureau; John Leibovitz, Deputy Chief, Wireless Telecommunications Bureau; Blaise Scinto, Division Chief, Broadband Division, Wireless Telecommunications Bureau; Chris Helzer, Broadband Division, Wireless Telecommunications Bureau; Robert Nelson, Chief, Satellite Division, International Bureau; Gardner Foster, Assistant Bureau Chief, International Bureau; Julius Knapp, Chief Engineer, Office of Engineering Technology; and Michael Ha, Office of Engineering and Technology. Present on behalf of DISH were Thomas Cullen, Executive Vice President (by telephone); Jeffrey Blum, Senior Vice President and Deputy General Counsel; Mariam Sorond, Vice President, Technology Development; David Zufall, Vice President, Wireless Development; Alison Minea, Corporate Counsel; Hadass Kogan, Associate Corporate Counsel; and John Flynn, Outside Counsel.

During the meeting, DISH urged the Commission to adopt final rules in the above captioned proceeding expeditiously to give DISH the regulatory certainty it needs to proceed with its planned wireless initiatives. In addition, DISH reviewed its position on several technical and policy issues consistent with its previous filings in the above captioned proceedings.

In particular, DISH explained that an upward migration of the 2000-2020 MHz band is unnecessary, and not in the public interest.¹ A 5 MHz move likely would present interference problems for the S-band uplink from users of the 2025-2110 MHz band.² A move to enable the use of H-block for broadband nationwide base station transmissions could cause overload to existing satellites – and could impair their communication entirely if not managed and restricted properly. In addition, a 5 MHz move would disrupt the global harmonization of the band.

A 5 MHz move would also introduce substantial delay and risk into the 3GPP standards setting process, which would further stunt – if not possibly scuttle – DISH’s planned deployment. The 3GPP process of standardizing Band 23 initiated in December of 2009 and the band was finally approved in June 2011. The outcome captured an extensive effort between 3GPP vendors and operators to reach an agreement for coexistence requirements between adjacent bands. DISH further optimized the band for single operator use in 2012 and also successfully introduced the 15 MHz and 20 MHz bandwidth options in August 2012 in order to move forward with its planned deployment. If a 5 MHz shift is mandated, the entire 3GPP process would have to be repeated before DISH could start UE development, as most manufacturers will not develop a chipset prior to completion of the 3GPP standardization process. This significant delay jeopardizes DISH’s planned deployment.

DISH also described the importance of flexible buildout milestones, including the need to modify the interim milestone from three to four years and require a population-based benchmark. DISH further explained that in order to best achieve any buildout milestone, the Commission should retain the current ATC nationwide license, rather than adopt a licensing scheme based on Economic Areas. DISH also discussed protection of GPS operations.

Finally, DISH provided an update on its efforts to reach a coordination agreement regarding certain government facilities located in spectrum adjacent to the S-Band downlink frequencies at 2180-2200 MHz.

Respectfully submitted,

/s/ Alison A. Minea

Alison A. Minea

cc: Ruth Milkman
John Leibovitz
Blaise Scinto
Chris Helzer
Robert Nelson
Gardner Foster
Julius Knapp
Michael Ha

¹ See Reply Comments of DISH Network Corporation, WT Docket No. 12-70, ET Docket No. 10-142, WT Docket No. 04-356 (June 1, 2012), at 24-29.

² See *id.* at 27-28.