



September 12, 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 Wednesday, September 12, 2012 with Louis Peraertz, Legal Advisor, Wireless, International, and Public Safety for Commissioner Clyburn. Present on behalf of DISH were Jeffrey Blum, Senior Vice President and Deputy General Counsel; Mariam Sorond, Vice President, Technology Development; Hadass Kogan, Associate Corporate Counsel; and John Flynn, Outside Counsel.

During the meeting, DISH urged expeditious adoption of final AWS-4 rules to provide the regulatory certainty necessary for DISH to proceed with its planned wireless investments. DISH invested billions of dollars last year to acquire the specific 40 MHz of spectrum known as the S-Band, in large part, based on significant investments already made to enable this spectrum's rapid deployment for mobile broadband use. Among other issues, any modification to the existing band plan, including a 5 MHz upward shift at 2000-2020 MHz, would needlessly inject serious regulatory and technical obstacles into DISH's planned deployment, significantly undermining the Commission's stated objective of rapid wireless broadband deployment in the band.

Specifically, a 5 MHz shift would disserve the public interest for at least the following reasons:

- It would introduce substantial delay and risk into the standard-setting process, which in turn would further delay – if not possibly scuttle – DISH's planned deployment.

- It would significantly undermine the usefulness of DISH's 2 GHz satellites by limiting the spectrum available for mobile satellite service ("MSS").
- It would reduce the internationally harmonized spectrum to only 5 MHz in the uplink band, limiting opportunities for global MSS roaming and global economies of scale.
- It would expose AWS-4 base stations to potential interference from federal and Broadcast Auxiliary Station ("BAS") operations above 2025 MHz.

Respectfully submitted,

/s/ Jeffrey H. Blum

Jeffrey H. Blum

cc: Louis Peraertz