



November 27, 2013

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

Re: *Ex Parte* Presentation
ET Dkt. No. 13-115

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the FCC's rules, 47 C.F.R. § 1.1206, EchoStar Corporation ("EchoStar"), submit this letter summarizing a meeting on November 26 regarding the above-referenced proceeding. Present at the meeting on behalf of EchoStar were Jennifer Manner, Vice President of Regulatory Affairs; Pat Amodio, Director of Spectrum Development, EchoStar; and Steven Doiron, Senior Director of Regulatory Affairs, Hughes Network Systems, LLC. Also present on behalf of the Commission were: Julius Knapp, Chief, Office of Engineering and Technology ("OET"); Geraldine Matisse, Associate Chief, OET; Mark Settle, Policy and Rules Division Chief, OET; Jamison Prime, Spectrum Policy Branch Chief, OET; Nicholas Oros, OET; and Karl Kensinger, Associate Division Chief, International Bureau.

During the meeting, EchoStar discussed the points raised in the attached. Specifically, EchoStar reiterated its position stated in previously filed comments and urged the Commission to ensure consistent regulatory treatment of commercial and federal government earth station licensees.

Please direct any questions regarding this matter to the undersigned.

Sincerely,

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

Attachment

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cc: Julius Knapp
Geraldine Matise
Mark Settle
Jamison Prime
Nicholas Oros
Karl Kensinger

Protection of Satellite Services From Broadband Service Aboard Aircraft in the 14.0-14.5 GHz Band (GN 13-114)

- **EchoStar: Providing Valuable Satellite Service to U.S. Consumers:** EchoStar is a diverse, dynamic company that is a significant satellite operator, services provider, and technology company. Today EchoStar owns, leases, or operates a fleet of 22 satellites operating in the broadcast (BSS), mobile (MSS) and fixed satellite services (FSS), which provide innovative, multichannel video programming distribution through DISH[®] Network Corporation (DISH), and state-of-the-art fixed and mobile broadband services, among other services.
- **The Ku Band:** The Ku band is widely used by EchoStar and other satellite providers in the United States to provide important services to U.S. consumers, business and government including voice, data, broadband services, and video programming. The FCC is proposing to enable a secondary use of the Ku band by the Air to Ground (ATG) service.
- **Proposed Approach:** ATG must protect FSS from unacceptable interference. Licensing and technical rules must expressly provide that and treat ATG as a secondary service.
- **FSS Must Be Protected:** Clear mechanisms must be adopted to ensure the protection of the FSS from ATG services.
- **Process to Resolve Interference:** ATG licensees must be required to adequately supervise and control interference that their network generates; be in a position to remedy any possible issues; and remain accountable to the Commission for these operations.
- **Licensing Approach:** Band segmentation should be avoided as FSS licensees will be subject to interference from multiple ATG licensees. If the Commission goes down this route, complex mechanisms will be needed to protect the FSS (e.g. database by sub-band of actual interference levels).
- **Acceptable Interference Threshold:** A fixed $\Delta T/T$ value will yield variable acceptable interference levels for each satellite and is thus unenforceable. The Commission should adopt an aggregate PFD value at the GSO arc from all ATG of $-210 \text{ dBW/m}^2/\text{Hz}$.
- **ATG Use Only:** ATG licenses should be limited to ATG services. The interference to the FSS from secondary market users would be too difficult to aggregate and control.
- **Further Comment on NGSO:** NGSO networks that may be deployed in the band are at significant risk of suffering high levels of interference. There is a potential problem between future NGSO and ATG licensees. The FCC should examine this issue further.