



November 27, 2013

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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

Marlene H. Dortch  
November 27, 2013  
Page 2

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

## Federal Earth Stations Communicating with Non-Federal Fixed Satellite Service Space Stations (ET-13-115)

- **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 in the Broadcast Satellite Service (BSS), the mobile-satellite service (MSS), and the Fixed Satellite Service (FSS) bands, which provide innovative, multichannel video programming distribution through DISH<sup>®</sup> Network Corporation (DISH), and state-of-the-art fixed and mobile broadband services, among other services.
- **Expanded Use of Commercial FSS by Federal Earth Stations:** EchoStar supports the Commission's efforts to facilitate expanded use of commercial satellite spectrum by Federal earth stations, as long as it is done on an equal basis.
- **Equal Obligations:** To ensure consistent regulatory treatment of commercial and government earth station licensees, the Commission and NTIA should apply the same licensing, coordination, interference protection, technical and *ex parte* communications requirements to Federal and non-Federal earth stations communicating with commercial satellites. Affording Federal earth station operators special privileges or additional flexibility could disadvantage consumers, including government users who utilize non-Federal earth stations to access commercial satellite systems.
- **Burden on Commercial Licensees:** Expanded Federal earth station use of commercial satellite spectrum should not impose additional burdens upon FCC applicants. This also applies to STA and experimental licenses.
- **Jurisdiction:** The FCC should retain exclusive regulatory jurisdiction, including enforcement authority, over use of the spectrum.
- **Rules:** The *NTIA Manual* should be revised to require Federal earth stations communicating with commercial satellites to comply with the relevant FCC's Part 25 rules. The *NTIA Manual* should clarify that the Commission's rules supersede any conflicting NTIA rules that otherwise would apply to Federal earth stations communicating with commercial satellites.
- **Ex Parte:** The FCC's rules should be revised to remove the exemption from the Commission's *ex parte* rules for presentations by NTIA or other Federal agencies regarding proposed actions that potentially could cause interference to Federal earth stations communicating with commercial satellites.