



September 18, 2014

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

Re: Comprehensive Review of the Licensing and Operating Rules for Satellite  
Services, IB Docket No. 12-267 – *Ex Parte Notice*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, Hughes Network Systems, LLC and EchoStar Satellite Operating Corporation (collectively, "EchoStar") submit this letter summarizing a meeting on September 17, 2014, regarding the above-referenced proceeding. Present at the meeting were Jennifer A. Manner, Vice President of Regulatory Affairs, and Jesse T. Jachman, Senior Counsel, Regulatory Affairs, both of EchoStar. Attending the meeting on behalf of the Commission were Nicholas Degani, Legal Advisor to Commissioner Pai, and David Shin, Legal Intern to Commissioner Pai.

Discussions focused on the upcoming Further Notice of Proposed Rulemaking (FNPRM) in the above-referenced proceeding and the importance of having a full record developed in response to the FNPRM. To this end, EchoStar recommended that the FCC ensure that the FNPRM seek comment on a number of issues that would enable the FCC to gather information on a wide variety of Part 25 issues.

Specifically, EchoStar recommended that the FCC seek comment on other approaches to the current performance bond requirements for satellite systems, including whether other countries require performance bonds or rely on other approaches. EchoStar explained that, to its knowledge, satellite performance bonds are not required in most, if any, other countries. Further, EchoStar explained that to the extent the FCC retains its milestone requirements, it should seek comment on providing more guidance on what is required to meet each milestone. In addition, EchoStar explained that if the FCC allows the submission of simplified filings (rather than formal license applications) to establish a position in the satellite processing queue, the FCC should seek comment on whether it should impose a bond requirement or adopt an alternative approach. Discussions also focused on seeking comment on: (i) the FCC's limits on pending

satellite applications and licensed-but-unbuilt systems and their impact on filings with the International Telecommunication Union; and (ii) whether the FCC should retain or modify those limits.

Further, the discussions covered the current licensing regime. To this end, EchoStar noted that the FCC currently is prohibited from auctioning orbital locations or spectrum used for international or global satellite communications services.<sup>1</sup> EchoStar suggested that the FCC seek comment on whether the FCC should consider other frameworks instead of the first-come, first-served regime or whether it should modify the first-come, first-served regime in any way.

Finally, EchoStar stressed the importance of the FCC seeking comment on ways to increase flexibility for satellite operators, which would allow for more efficient operation and result in increased parity with the flexibility provided to terrestrial and other FCC licensees.

Please direct any questions regarding this matter to the undersigned.

Respectfully Submitted,

/s/ Jennifer A. Manner  
Jennifer A. Manner  
Vice President, Regulatory Affairs  
EchoStar Satellite Operating Company  
and Hughes Network Systems, LLC

cc: Nicholas Degani (FCC)  
David Shin (FCC)

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<sup>1</sup> 47 U.S.C. § 765f (“Notwithstanding any other provision of law, the Commission shall not have the authority to assign by competitive bidding orbital locations or spectrum used for the provision of international or global satellite communications services.”).