Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Echostar Satellite Corporation

Application for File No. DBS 22-SAT-STA-96

Special Temporary Authority for
a Direct Broadcast Satellite

ORDER

Adopted: January 11, 1996; Released: January 16, 1996

By the Chief, Satellite and Radiocommunication Division, International Bureau:

1. By this Order, we grant EchoStar Satellite Corporation's (EchoStar's) request for special temporary authority (STA) to test the operation of its "USABSS-3" direct broadcast satellite at 119° W.L. on channels 1-31 (odd-numbered) for a period of sixty (60) days, effective immediately. On December 21, 1995, EchoStar was authorized to launch USABSS-3 for use from its eastern orbital location in the Direct Broadcast Satellite ("DBS") service.[1] Grant of this STA request will permit EchoStar to conduct in-orbit testing of all 16 transponders on USABSS-3, including five channels (23, 25, 27, 29, and 31) assigned to Tempo Satellite, Inc.

2. EchoStar requests an STA to communicate with its satellite after launch and to perform tests on all 16 satellite transponders.[2] EchoStar states that it needs the requested STA to test all 16 of the transponders on USABSS-3, including channels 23, 25, 27, 29, and 31 in the event that EchoStar is authorized to operate on those channels in the future. EchoStar asserts that its temporary use of channels 23, 25, 27, 29, and 31 will not cause harmful interference to Tempo's DBS system because Tempo has not yet launched a DBS satellite that operates on these channels. EchoStar did not indicate the expected duration of this testing process.

3. Granting the EchoStar request will serve the public interest, convenience and necessity. The STA will allow EchoStar to test all transponders on USABSS-3. In addition, the proposed test is not expected to cause harmful interference to any other satellite system. We therefore grant this request. We will grant EchoStar special temporary authority to test the operation of USABSS-3 for a period of sixty (60) days. Should EchoStar require additional time for testing, we would consider such a request at the expiration of the sixty day period. We will consider EchoStar's amended STA request, seeking special temporary authority to operate all 16 channels on USABSS-3, in a separate order.

4. Accordingly, pursuant to authority delegated by Section 0.261 of the Commission's Rules, 47 C.F.R. § 0.261, IT IS ORDERED that Application File No. DBS 22-SAT-STA-96 IS GRANTED IN PART such that EchoStar Satellite Corporation IS AUTHORIZED to test the operation of USABSS-3 on channels 1-31 (odd- numbered) at the 119° W.L. orbital location for a period of sixty (60) days after the date of release of this order.

5. IT IS FURTHER ORDERED that no harmful interference shall be caused to any other lawfully operated radio station and EchoStar Satellite Corporation shall cease operation immediately upon notification of such interference.

6. IT IS FURTHER ORDERED that EchoStar Satellite Corporation shall notify the Commission in writing no later than seven days after the testing of USABSS-3 is completed.

FEDERAL COMMUNICATIONS COMMISSION

Thomas S. Tycz
Chief, Satellite and Radiocommunication Division
International Bureau

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[1] *EchoStar Satellite Corporation* _____ F.C.C. Rcd. _____ (International Bureau, DA 96-3, released January 11, 1996).

[2] EchoStar Request for Temporary Authority, File No. 22-SAT-STA-96, filed November 22, 1995. EchoStar subsequestly amended this filing to include a request for operating authority. *See* Minor Amendment to Request for Spcial Temporary Authority (dated December 4, 1995).