

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

In the Matter of)	
)	
DISH Operating L.L.C.)	File No.: EB SED-22-00034635
)	CD Acct. No.: 202032100004
)	FRN: 0010500338

ORDER

Adopted: October 2, 2023

Released: October 2, 2023

By the Chief, Enforcement Bureau:

1. The Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission) has entered into a Consent Decree with DISH Operating L.L.C. (DISH) to resolve the Bureau’s investigation into whether DISH failed to move its direct broadcast satellite (DBS) service EchoStar-7 satellite to the proper disposal orbit at the satellite’s end-of-life as required by DISH’s license terms and conditions. Specifically, DISH disposed of the EchoStar-7 satellite at 122 kilometers (km) above its operational geostationary orbit, short of the 300 km above its operational geostationary orbit specified in its orbital debris mitigation plan in DISH’s license. Orbital debris in space jeopardizes the nation’s terrestrial and space-based communication systems by increasing the risk of damage to satellite communications systems. Therefore, it is important for the Commission to ensure that satellite licensees meet post-mission disposal requirements in a manner compliant with their authorizations. To settle this matter, DISH admits that it failed to operate the EchoStar-7 satellite in accordance with its authorization, will implement a compliance plan, and will pay a \$150,000 civil penalty.

2. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by adopting the Consent Decree and terminating the referenced investigation regarding DISH’s compliance with sections 301 of the Communications Act of 1934, as amended (Act)¹, and section 25.102 of the Commission’s rules.²

3. In the absence of material new evidence relating to this matter, we do not set for hearing the question of DISH’s basic qualifications to hold or obtain any Commission license or authorization.³

4. Accordingly, **IT IS ORDERED** that, pursuant to section 4(i) of the Act, 47 U.S.C. § 154(i), and the authority delegated by sections 0.111 and 0.311 of the Commission’s rules, 47 CFR §§ 0.111, 0.311, the attached Consent Decree **IS ADOPTED** and its terms incorporated by reference.

5. **IT IS FURTHER ORDERED** that the above-captioned matter **IS TERMINATED**.

¹ 47 U.S.C. § 301.

² 47 CFR § 25.102.

³ See 47 CFR § 1.93(b).

6. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be sent by first class mail and certified mail, return receipt requested, to Alison Minea, Vice President and Associate General Counsel, DISH Operating L.L.C., 1110 Vermont Ave NW, Suite 450, Washington, DC 20005, United States.

FEDERAL COMMUNICATIONS COMMISSION

Loyaan A. Egal
Chief
Enforcement Bureau