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For Immediate Release

FCC TAKES FIRST SPACE DEBRIS ENFORCEMENT ACTION

Settles Investigation of DISH for Failing to Comply with Deorbiting Plan

WASHINGTON, October 2, 2023—The FCC’s Enforcement Bureau today announced a settlement of its investigation into DISH for failure to properly deorbit its EchoStar-7 satellite. This marks a first in space debris enforcement by the Commission, which has stepped up its satellite policy efforts, including establishing the Space Bureau and implementing its Space Innovation Agenda. The settlement includes an admission of liability from the company and an agreement to adhere to a compliance plan and pay a penalty of \$150,000.

The FCC’s investigation found that the company violated the Communications Act, the FCC rules, and the terms of the company’s license by relocating its direct broadcast satellite (“DBS”) service EchoStar-7 satellite at the satellite’s end-of-mission to a disposal orbit well below the elevation required by the terms of its license. At this lower altitude, it could pose orbital debris concerns.

“As satellite operations become more prevalent and the space economy accelerates, we must be certain that operators comply with their commitments,” said Enforcement Bureau Chief Loyaan A. Egal. “This is a breakthrough settlement, making very clear the FCC has strong enforcement authority and capability to enforce its vitally important space debris rules.”

FCC rules prohibit the use or operation of any apparatus for the transmission of energy or communications or signals by a space or earth station except under and in accordance with a Commission-granted authorization. This vital rule prevents interference in satellite operations and allows the Commission to coordinate and evaluate those operations, including minimizing the creation of space debris and ensuring responsible end-of-mission satellite disposal.

DISH launched its EchoStar-7 satellite in 2002. In an orbital debris mitigation plan later filed by DISH, and approved by the Commission in 2012, the company committed to bring the satellite at the end of its mission to an altitude of 300 kilometers (km) above its operational geostationary arc. In subsequent filings with the FCC, DISH estimated that, based on the remaining fuel and projected operational parameters, the satellite’s end-of-mission deorbit maneuvers would take place in May 2022.

However, in February 2022, DISH determined that the satellite had very little propellant left, which meant it could not follow the original orbital debris mitigation plan in its license. DISH ultimately retired the satellite at a disposal orbit approximately 122 km above the geostationary arc, well short of the disposal orbit of 300 km specified in its orbital debris mitigation plan.

The Consent Decree is available at: <https://docs.fcc.gov/public/attachments/DA-23-888A1.pdf>.

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).