UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 10-Q

(Mark One)
☒ **QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 FOR THE FISCAL QUARTERLY PERIOD ENDED MARCH 31, 2023.**

OR

☐ **TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 FOR THE TRANSITION PERIOD FROM TO .**

Commission File Number: 001-33807

EchoStar Corporation
(Exact name of registrant as specified in its charter)

Nevada	**26-1232727**
(State or other jurisdiction of incorporation or organization)	(I.R.S. Employer Identification No.)
100 Inverness Terrace East, Englewood, Colorado	**80112-5308**
(Address of principal executive offices)	(Zip Code)
(303) 706-4000	**Not Applicable**
(Registrant's telephone number, including area code)	(Former name, former address and former fiscal year, if changed since last report)

Securities registered pursuant to Section 12(b) of the Act:

Class A common stock $0.001 par value	**The NASDAQ Stock Market LLC**
(Title of each class)	(Name of each exchange on which registered)
SATS	
(Ticker symbol)	

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports) and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark whether the registrant has submitted electronically every Interactive Data File required to be submitted pursuant to Rule 405 of Regulation S-T during the preceding 12 months (or for such shorter period that the registrant was required to submit such files).
Yes ☒ No ☐

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, a smaller reporting company, or an emerging growth company. See the definitions of "large accelerated filer," "accelerated filer," "smaller reporting company" and "emerging growth company" in Rule 12b-2 of the Exchange Act. (Check one):

Large accelerated filer	☒	Accelerated filer	☐	Emerging growth company	☐
Non-accelerated filer	☐	Smaller reporting company	☐		

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. ☐
Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes ☐ No ☒

As of April 26, 2023, the registrant's outstanding common stock consisted of 36,090,106 shares of Class A common stock and 47,687,039 shares of Class B common stock, each $0.001 par value.

TABLE OF CONTENTS

DISCLOSURE REGARDING FORWARD-LOOKING STATEMENTS

This Quarterly Report on Form 10-Q ("Form 10-Q") contains "forward-looking statements" within the meaning of the Private Securities Litigation Reform Act of 1995, Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended, including but not limited to statements about our estimates, expectations, future developments, plans, objectives, strategies, financial condition, expected impact of regulatory developments and legal proceedings, opportunities in our industries and businesses and other trends and projections for the next fiscal quarter and beyond. All statements, other than statements of historical facts, may be forward-looking statements. Forward-looking statements may also be identified by words such as "anticipate," "intend," "plan," "goal," "seek," "believe," "estimate," "expect," "predict," "project," "continue," "future," "will," "would," "could," "can," "may" and similar terms. These forward-looking statements are based on information available to us as of the date of this Form 10-Q and represent management's current views and assumptions based on past experience and trends, current economic and industry conditions, expected future developments and other relevant factors. Forward-looking statements are not guarantees of future performance, events or results and involve potential known and unknown risks, uncertainties, including the impact of the coronavirus pandemic (COVID-19), and other factors, many of which may be beyond our control and may pose a risk to our operating and financial condition both the near- and long-term. Accordingly, actual performance, events or results could differ materially from those expressed or implied in the forward-looking statements due to a number of factors including, but not limited to:

- significant risks related to our ability to operate and control our satellites, operational and environmental risks related to our owned and leased satellites, and risks related to our satellites under construction;
- our ability and the ability of third parties with whom we engage to operate our business as a result of the COVID-19 pandemic, including regulatory and competitive considerations;
- our ability to implement and/or realize benefits of our investments and other strategic initiatives;
- legal proceedings relating to the BSS Transaction or other matters that could result in substantial costs and material adverse effects to our business;
- risks related to our foreign operations and other uncertainties associated with doing business internationally;
- risks related to our dependency upon third-party providers, including supply chain disruptions and inflation;
- risks related to cybersecurity incidents; and
- risks related to our human capital resources.

Other factors that could cause or contribute to such differences include, but are not limited to, those discussed under the caption Risk Factors in Part II, Item 1A of this Form 10-Q and in Part I, Item 1A of our most recent Annual Report on Form 10-K ("Form 10-K") filed with the Securities and Exchange Commission ("SEC"), those discussed in Management's Discussion and Analysis of Financial Condition and Results of Operations in Part I, Item 2 of this Form 10-Q and in Part II, Item 7 of our Form 10-K and those discussed in other documents we file with the SEC.

All cautionary statements made herein should be read as being applicable to all forward-looking statements wherever they appear. Investors should consider the risks and uncertainties described herein and should not place undue reliance on any forward-looking statements. We do not undertake, and specifically disclaim, any obligation to publicly release the results of any revisions that may be made to any forward-looking statements, whether as a result of new information, future events or otherwise, except as required by law.

Although we believe that the expectations reflected in any forward-looking statements are reasonable, we cannot guarantee future results, events, levels of activity, performance or achievements. We do not assume responsibility for the accuracy and completeness of any forward-looking statements. We assume no responsibility for updating forward-looking information contained or incorporated by reference herein or in any documents we file with the SEC, except as required by law.

Should one or more of the risks or uncertainties described herein or in any documents we file with the SEC occur, or should underlying assumptions prove incorrect, our actual results and plans could differ materially from those expressed in any forward-looking statements.

PART I — FINANCIAL INFORMATION

ITEM 1. FINANCIAL STATEMENTS

ECHOSTAR CORPORATION
CONSOLIDATED BALANCE SHEETS
(Amounts in thousands, except share and per share amounts)

	As of	
	March 31, 2023	December 31, 2022
	(unaudited)	
Assets		
Current assets:		
Cash and cash equivalents	$ 920,105	$ 704,541
Marketable investment securities	755,169	973,915
Trade accounts receivable and contract assets, net	251,871	236,479
Other current assets, net	252,596	210,446
Total current assets	2,179,741	2,125,381
Non-current assets:		
Property and equipment, net	2,175,861	2,237,617
Operating lease right-of-use assets	147,707	151,518
Goodwill	532,858	532,491
Regulatory authorizations, net	461,556	462,531
Other intangible assets, net	15,151	15,698
Other investments, net	364,954	356,705
Other non-current assets, net	315,960	317,062
Total non-current assets	4,014,047	4,073,622
Total assets	$ 6,193,788	$ 6,199,003
Liabilities and Stockholders' Equity		
Current liabilities:		
Trade accounts payable	$ 85,772	$ 101,239
Contract liabilities	129,292	121,739
Accrued expenses and other current liabilities	163,109	199,853
Total current liabilities	378,173	422,831
Non-current liabilities:		
Long-term debt, net	1,496,981	1,496,777
Deferred tax liabilities, net	430,957	424,621
Operating lease liabilities	131,881	135,932
Other non-current liabilities	112,534	119,787
Total non-current liabilities	2,172,353	2,177,117
Total liabilities	2,550,526	2,599,948
Commitments and contingencies		

The accompanying notes are an integral part of these Consolidated Financial Statements.

ECHOSTAR CORPORATION
CONSOLIDATED BALANCE SHEETS
(Amounts in thousands, except share and per share amounts)

Stockholders' equity:		
Preferred stock, $0.001 par value, 20,000,000 shares authorized, none issued and outstanding at both March 31, 2023 and December 31, 2022	—	—
Common stock, $0.001 par value, 4,000,000,000 shares authorized:		
Class A common stock, $0.001 par value, 1,600,000,000 shares authorized, 59,303,237 shares issued and 35,989,926 shares outstanding at March 31, 2023 and 58,604,927 shares issued and 35,291,616 shares outstanding at December 31, 2022	59	59
Class B convertible common stock, $0.001 par value, 800,000,000 shares authorized, 47,687,039 shares issued and outstanding at both March 31, 2023 and December 31, 2022	48	48
Class C convertible common stock, $0.001 par value, 800,000,000 shares authorized, none issued and outstanding at both March 31, 2023 and December 31, 2022	—	—
Class D common stock, $0.001 par value, 800,000,000 shares authorized, none issued and outstanding at both March 31, 2023 and December 31, 2022	—	—
Additional paid-in capital	3,376,169	3,367,058
Accumulated other comprehensive income (loss)	(166,931)	(172,239)
Accumulated earnings (losses)	862,558	833,517
Treasury shares, at cost, 23,313,311 shares at both March 31, 2023 and December 31, 2022	(525,824)	(525,824)
Total EchoStar Corporation stockholders' equity	3,546,079	3,502,619
Non-controlling interests	97,183	96,436
Total stockholders' equity	3,643,262	3,599,055
Total liabilities and stockholders' equity	$ 6,193,788	$ 6,199,003

The accompanying notes are an integral part of these Consolidated Financial Statements.

ECHOSTAR CORPORATION
CONSOLIDATED STATEMENTS OF OPERATIONS
(Amounts in thousands, except per share amounts)
(Unaudited)

	For the three months ended March 31,	
	2023	**2022**
Revenue:		
Services and other revenue	$ 377,527	$ 418,811
Equipment revenue	62,070	82,723
Total revenue	439,597	501,534
Costs and expenses:		
Cost of sales - services and other (exclusive of depreciation and amortization)	135,372	141,129
Cost of sales - equipment (exclusive of depreciation and amortization)	51,662	69,114
Selling, general and administrative expenses	110,061	118,170
Research and development expenses	8,255	7,617
Depreciation and amortization	102,858	120,436
Impairment of long-lived assets	3,142	—
Total costs and expenses	411,350	456,466
Operating income (loss)	28,247	45,068
Other income (expense):		
Interest income, net	28,596	6,422
Interest expense, net of amounts capitalized	(13,286)	(14,973)
Gains (losses) on investments, net	(7,109)	80,686
Equity in earnings (losses) of unconsolidated affiliates, net	(551)	(1,714)
Foreign currency transaction gains (losses), net	3,313	6,394
Other, net	70	(156)
Total other income (expense), net	11,033	76,659
Income (loss) before income taxes	39,280	121,727
Income tax benefit (provision), net	(11,460)	(32,782)
Net income (loss)	27,820	88,945
Less: Net loss (income) attributable to non-controlling interests	1,221	2,488
Net income (loss) attributable to EchoStar Corporation common stock	$ 29,041	$ 91,433
Earnings (losses) per share - Class A and B common stock:		
Basic	$ 0.35	$ 1.07
Diluted	$ 0.35	$ 1.06

The accompanying notes are an integral part of these Consolidated Financial Statements.

ECHOSTAR CORPORATION
CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME (LOSS)
(Amounts in thousands)
(Unaudited)

	For the three months ended March 31,	
	2023	**2022**
Net income (loss)	$ 27,820	$ 88,945
Other comprehensive income (loss), net of tax:		
Foreign currency translation adjustments	7,491	48,945
Unrealized gains (losses) on available-for-sale securities	(215)	(567)
Total other comprehensive income (loss), net of tax	7,276	48,378
Comprehensive income (loss)	35,096	137,323
Less: Comprehensive loss (income) attributable to non-controlling interests	(747)	(7,068)
Comprehensive income (loss) attributable to EchoStar Corporation	$ 34,349	$ 130,255

The accompanying notes are an integral part of these Consolidated Financial Statements.

ECHOSTAR CORPORATION
CONSOLIDATED STATEMENTS OF CHANGES IN STOCKHOLDERS' EQUITY
FOR THE THREE MONTHS ENDED MARCH 31, 2023 AND 2022
(Amounts in thousands)
(Unaudited)

	Common Stock	Additional Paid-in Capital	Accumulated Other Comprehensive Income (Loss)	Accumulated Earnings (Losses)	Treasury Shares, at cost	Non-controlling Interests	Total
Balance, December 31, 2021	$ 106	$ 3,345,878	$ (212,102)	$ 656,466	$ (436,521)	$ 60,253	$ 3,414,080
Issuance of Class A common stock:							
Employee benefits	—	7,041	—	—	—	—	7,041
Employee Stock Purchase Plan	—	2,367	—	—	—	—	2,367
Stock-based compensation	—	1,860	—	—	—	—	1,860
Issuance of equity and contribution of assets pursuant to the India JV formation	—	(14,090)	—	—	—	44,393	30,303
Other comprehensive income (loss)	—	—	38,822	—	—	9,556	48,378
Net income (loss)	—	—	—	91,433	—	(2,488)	88,945
Treasury share repurchase	—	—	—	—	(35,061)	—	(35,061)
Balance, March 31, 2022	$ 106	$ 3,343,056	$ (173,280)	$ 747,899	$ (471,582)	$ 111,714	$ 3,557,913
Balance, December 31, 2022	$ 107	$ 3,367,058	$ (172,239)	$ 833,517	$ (525,824)	$ 96,436	$ 3,599,055
Issuance of Class A common stock:							
Employee benefits	—	5,421	—	—	—	—	5,421
Employee Stock Purchase Plan	—	1,098	—	—	—	—	1,098
Stock-based compensation	—	2,592	—	—	—	—	2,592
Other comprehensive income (loss)	—	—	5,308	—	—	1,968	7,276
Net income (loss)	—	—	—	29,041	—	(1,221)	27,820
Balance, Balance, March 31, 2023	$ 107	$ 3,376,169	$ (166,931)	$ 862,558	$ (525,824)	$ 97,183	$ 3,643,262

The accompanying notes are an integral part of these Consolidated Financial Statements.

ECHOSTAR CORPORATION
CONSOLIDATED STATEMENTS OF CASH FLOWS
(Amounts in thousands)
(Unaudited)

	For the three months ended March 31,	
	2023	2022
Cash flows from operating activities:		
Net income (loss)	$ 27,820	$ 88,945
Adjustments to reconcile net income (loss) to cash flows provided by (used for) operating activities:		
Depreciation and amortization	102,858	120,436
Impairment of long-lived assets	3,142	—
Losses (gains) on investments, net	7,109	(80,686)
Equity in losses (earnings) of unconsolidated affiliates, net	551	1,714
Foreign currency transaction losses (gains), net	(3,313)	(6,394)
Deferred tax provision (benefit), net	6,521	25,538
Stock-based compensation	2,592	1,860
Amortization of debt issuance costs	204	191
Other, net	(24,078)	(2,528)
Changes in assets and liabilities, net:		
Trade accounts receivable and contract assets, net	(14,041)	(8,480)
Other current assets, net	(27,153)	(3,340)
Trade accounts payable	(13,797)	7,046
Contract liabilities	7,553	(3,142)
Accrued expenses and other current liabilities	(28,257)	(27,033)
Non-current assets and non-current liabilities, net	(1,286)	(9,774)
Net cash provided by (used for) operating activities	46,425	104,353
Cash flows from investing activities:		
Purchases of marketable investment securities	(238,585)	(88,578)
Sales and maturities of marketable investment securities	457,776	492,812
Expenditures for property and equipment	(59,071)	(112,138)
Refunds and other receipts related to capital expenditures	15,000	—
Expenditures for externally marketed software	(6,962)	(5,093)
India JV formation	—	(7,892)
Net cash provided by (used for) investing activities	168,158	279,111
Cash flows from financing activities:		
Payment of finance lease obligations	—	(85)
Payment of in-orbit incentive obligations	(1,834)	(1,444)
Proceeds from Class A common stock issued under the Employee Stock Purchase Plan	1,098	2,367
Treasury share repurchase	—	(33,307)
Net cash provided by (used for) financing activities	(736)	(32,469)
Effect of exchange rates on cash and cash equivalents	1,659	3,480
Net increase (decrease) in cash and cash equivalents	215,506	354,475
Cash and cash equivalents, including restricted amounts, beginning of period	705,883	536,874
Cash and cash equivalents, including restricted amounts, end of period	$ 921,389	$ 891,349

The accompanying notes are an integral part of these Consolidated Financial Statements.

NOTE 1. ORGANIZATION AND BUSINESS ACTIVITIES

Principal Business

EchoStar Corporation (which, together with its subsidiaries, is referred to as “EchoStar,” the “Company,” “we,” “us” and “our”) is a holding company that was organized in October 2007 as a corporation under the laws of the State of Nevada. Our Class A common stock is publicly traded on the NASDAQ Global Select Market (“NASDAQ”) under the symbol “SATS.”

We are an industry leader in both networking technologies and services, innovating to deliver the global solutions that power a connected future for people, enterprises and things everywhere. We provide internet services to consumer customers, which include home and small to medium-sized businesses, and satellite and multi-transport technologies and managed network services to enterprise customers, telecommunications providers, aeronautical service providers and government entities, including the U.S. Department of Defense. We operate in the following two business segments:

- ***Hughes segment*** — which provides broadband satellite technologies and broadband internet products and services to consumer customers. We provide broadband network technologies, managed services, equipment, hardware, satellite services and communications solutions to government and enterprise customers. We also design, provide and install gateway and terminal equipment to customers for other satellite systems. In addition, we design, develop, construct and provide telecommunication networks comprising satellite ground segment systems and terminals to mobile system operators and our enterprise customers.
- ***EchoStar Satellite Services segment (“ESS segment”)*** — which provides satellite services on a full-time and/or occasional-use basis to U.S. government service providers, internet service providers, broadcast news organizations, content providers and private enterprise customers. We operate our ESS business using primarily the EchoStar IX satellite and the EchoStar 105/SES-11 satellite and related infrastructure. Revenue in our ESS segment depends largely on our ability to continuously make use of our available satellite capacity with existing customers and our ability to enter into commercial relationships with new customers. During the first quarter of 2023, we transitioned the EchoStar IX satellite into inclined operations to extend its usable life for our customers. With this inclined mode of operation, we are expecting to extend the life of the spacecraft into 2024.

Our operations also include various corporate functions (primarily Executive, Treasury, Strategic Development, Human Resources, Information Technology, Finance, Accounting, Real Estate and Legal) and other activities, such as costs incurred in certain satellite development programs and other business development activities, and gains or losses from certain of our investments, that have not been assigned to our business segments. These activities, costs and income, as well as eliminations of intersegment transactions, are accounted for in Corporate and Other segment in our segment reporting. We also divide our operations by primary geographic market as follows: (i) North America (the U.S. and its territories, Mexico, and Canada); (ii) South and Central America and (iii) Other (Asia, Africa, Australia, Europe, India, and the Middle East). Refer to *Note 14. Segment Reporting* for further detail.

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Presentation

These unaudited Consolidated Financial Statements and the accompanying notes (collectively, the “Consolidated Financial Statements”) are prepared in conformity with U.S. generally accepted accounting principles (“GAAP”) and the instructions to Form 10-Q and Article 10 of Regulation S-X for interim financial information. Accordingly, they do not include all of the information and notes required for complete financial statements prepared in conformity with GAAP. In our opinion, all adjustments, consisting of normal recurring adjustments, considered necessary for a fair presentation have been included. However, our results of operations for the interim periods presented are not necessarily indicative of the results that may be expected for the full year.

All amounts presented in these Consolidated Financial Statements are expressed in thousands of U.S. dollars, except share and per share amounts and unless otherwise noted.

Refer to *Note 2. Summary of Significant Accounting Policies* to the Consolidated Financial Statements in our Form 10-K for a summary and discussion of our significant accounting policies, except as updated below.

Use of Estimates

We are required to make certain estimates and assumptions that affect the amounts reported in these Consolidated Financial Statements. The most significant estimates and assumptions are used in determining: (i) inputs used to recognize revenue over time, including amortization periods for deferred contract acquisition costs; (ii) allowances for doubtful accounts, and estimated credit losses on investments; (iii) deferred taxes and related valuation allowances, including uncertain tax positions; (iv) loss contingencies; (v) fair value of financial instruments; (vi) fair value of assets and liabilities acquired in business combinations; and (vii) assets and goodwill impairment testing.

We base our estimates and assumptions on historical experience, observable market inputs and on various other factors that we believe to be relevant under the circumstances. Due to the inherent uncertainty involved in making estimates, actual results may differ from previously estimated amounts and such differences may be material to our financial statements. Additionally, changing economic conditions may increase the inherent uncertainty in the estimates and assumptions indicated above. We review our estimates and assumptions periodically and the effects of revisions thereto are reflected in the period they occur or prospectively if the revised estimate affects future periods.

Principles of Consolidation

We consolidate all entities in which we have a controlling financial interest. We are deemed to have a controlling financial interest in variable interest entities in which we are the primary beneficiary and in other entities in which we own more than 50% of the outstanding voting shares and other shareholders do not have substantive rights to participate in management. For entities we control but do not wholly own, we record a non-controlling interest within
stockholders' equity for the portion of the entity's equity attributed to the non-controlling ownership interests. All significant intercompany balances and transactions have been eliminated in consolidation.

Recently Adopted Accounting Pronouncements

Business Combinations

On January 1, 2023, we adopted Accounting Standards Update ("ASU") No. 2021-08 - *Business Combinations (Topic 805): Accounting for Contract Assets and Contract Liabilities from Contracts with Customers*, which provides an exception to fair value measurement for contract assets and contract liabilities related to revenue contracts acquired in a business combination. The ASU requires an entity (acquirer) to recognize and measure contract assets and contract liabilities acquired in a business combination in accordance with Topic 606. At the acquisition date, an acquirer should account for the related revenue contracts in accordance with Topic 606 as if it had originated the contracts. The ASU is applied to business combinations occurring on or after the adoption date.

Government Assistance

On January 1, 2022, we adopted ASU No. 2021-10 - *Government Assistance (Topic 832)*: Disclosures by Business Entities about Government Assistance, which requires business entities (except for not-for-profit entities and employee benefit plans) to disclose information about certain government assistance they receive. The Topic 832 disclosure requirements include: (i) the nature of the transactions and the related accounting policy used; (ii) the line items on the balance sheet and income statement that are affected and the amounts applicable to each financial statement line item; and (iii) significant terms and conditions of the transactions. Our adoption of this ASU did not have a material impact on our Consolidated Financial Statements.

Income Taxes

On January 1, 2021, we adopted ASU No. 2019-12 - *Income Taxes (Topic 740): Simplifying the Accounting for Income Taxes* ("ASU 2019-12"). ASU 2019-12 is part of the Financial Accounting Standards Board ("FASB") overall simplification initiative and seeks to simplify the accounting for income taxes by updating certain guidance and removing certain exceptions. Our adoption of this ASU did not have a material impact on our Consolidated Financial Statements.

Recently Issued Accounting Pronouncements Not Yet Adopted

Leases - Common Control Arrangements

In March 2023, the FASB issued ASU No. 2023-01 - *Leases (Topic 842): Common Control Arrangements*. Among other things, this ASU requires all lessees to amortize leasehold improvements associated with common control leases over their useful life to the common control group and account for them as a transfer of assets between entities under common control at the end of the lease. Additional disclosures are required when the useful life of leasehold improvements to the common control group exceeds the related lease term. The guidance is effective for fiscal years beginning after December 15, 2023, including interim periods within those fiscal years. Early adoption is permitted. We are evaluating the impact of adopting this new guidance and we do not expect it to have a material impact on our Consolidated Financial Statements.

Reference Rate Reform

In March 2020, the FASB issued ASU No. 2020-04 - *Reference Rate Reform (Topic 848)*, and all subsequent amendments to the initial guidance, codified as ASC 848 ("ASC 848"). The purpose of ASC 848 is to provide optional guidance to ease the potential effects on financial reporting of the market-wide migration away from Interbank Offered Rates to alternative reference rates. ASC 848 applies only to contracts, hedging relationships, and other transactions that reference a reference rate expected to be discontinued because of reference rate reform. The guidance may be applied upon issuance of ASC 848 through December 31, 2024. We expect to utilize the optional expedients provided by the guidance for contracts amended solely to use an alternative reference rate. We have evaluated the new guidance and we are in the process of implementing this ASU, and all subsequent amendments, and do not expect them to have a material impact on our Consolidated Financial Statements.

NOTE 3. REVENUE RECOGNITION

Contract Balances

The following table presents the components of our contract balances:

	As of	
	March 31, 2023	December 31, 2022
Trade accounts receivable and contract assets, net:		
Sales and services	$ 193,348	$ 170,466
Leasing	9,396	7,936
Total trade accounts receivable	202,744	178,402
Contract assets	65,319	73,435
Allowance for doubtful accounts	(16,192)	(15,358)
Total trade accounts receivable and contract assets, net	$ 251,871	$ 236,479
Contract liabilities:		
Current	$ 129,292	$ 121,739
Non-current	7,872	8,326
Total contract liabilities	$ 137,164	$ 130,065

The following table presents the revenue recognized in the Consolidated Statements of Operations that was previously included within contract liabilities:

	For the three months ended March 31, 2023	For the three months ended March 31, 2022
Revenue	$ 60,963	$ 88,947

Contract Acquisition Costs

The following table presents the activity in our contract acquisition costs, net:

	For the three months ended March 31, 2023	For the three months ended March 31, 2022
Balance at beginning of period	$ 64,447	$ 82,986
Additions	11,973	15,788
Amortization expense	(16,638)	(20,197)
Foreign currency translation	452	1,995
Balance at end of period	$ 60,234	$ 80,572

Performance Obligations

As of March 31, 2023, the remaining performance obligations for our customer contracts with original expected durations of more than one year was approximately $1.0 billion. Performance obligations expected to be satisfied within one year and greater than one year are 26.8% and 73.2%, respectively. This amount and percentages exclude agreements with consumer customers in our Hughes segment, our leasing arrangements and agreements with certain customers under which collectability of all amounts due through the term of contracts is uncertain.

Disaggregation of Revenue

Geographic Information

The following tables present our revenue from customer contracts disaggregated by primary geographic market and by segment:

	Hughes	ESS	Corporate and Other	Consolidated Total
For the three months ended March 31, 2023				
North America	$ 348,961	$ 5,997	$ 2,405	$ 357,363
South and Central America	38,373	—	—	38,373
Other	43,861	—	—	43,861
Total revenue	$ 431,195	$ 5,997	$ 2,405	$ 439,597
For the three months ended March 31, 2022				
North America	$ 399,422	$ 4,474	$ 2,947	$ 406,843
South and Central America	42,872	—	—	42,872
Other	51,812	—	7	51,819
Total revenue	$ 494,106	$ 4,474	$ 2,954	$ 501,534

Nature of Products and Services

The following tables present our revenue disaggregated by the nature of products and services and by segment:

	Hughes	ESS	Corporate and Other	Consolidated Total
For the three months ended March 31, 2023				
Services and other revenue:				
Services	$ 359,440	$ 3,987	$ 1,287	$ 364,714
Lease revenue	9,685	2,010	1,118	12,813
Total services and other revenue	369,125	5,997	2,405	377,527
Equipment revenue:				
Equipment	20,965	—	—	20,965
Design, development and construction services	36,904	—	—	36,904
Lease revenue	4,201	—	—	4,201
Total equipment revenue	62,070	—	—	62,070
Total revenue	$ 431,195	$ 5,997	$ 2,405	$ 439,597
For the three months ended March 31, 2022				
Services and other revenue:				
Services	$ 400,402	$ 2,935	$ 1,519	$ 404,856
Lease revenue	10,987	1,539	1,429	13,955
Total services and other revenue	411,389	4,474	2,948	418,811
Equipment revenue:				
Equipment	25,885	—	6	25,891
Design, development and construction services	55,905	—	—	55,905
Lease revenue	927	—	—	927
Total equipment revenue	82,717	—	6	82,723
Total revenue	$ 494,106	$ 4,474	$ 2,954	$ 501,534

Lease Revenue

The following table presents our lease revenue by type of lease:

	For the three months ended March 31,	
	2023	2022
Sales-type lease revenue:		
Revenue at lease commencement	$ 3,754	$ 638
Interest income	447	289
Total sales-type lease revenue	4,201	927
Operating lease revenue	12,813	13,955
Total lease revenue	$ 17,014	$ 14,882

NOTE 4. EARNINGS PER SHARE

The following table presents the calculation of basic and diluted EPS for our Class A and B common stock:

	For the three months ended March 31,	
	2023	2022
Net income (loss) attributable to EchoStar Corporation common stock	$ 29,041	$ 91,433
Weighted-average common shares outstanding:		
Basic	83,333	85,846
Dilutive impact of stock awards outstanding	—	33
Diluted	83,333	85,879
Earnings (losses) per share:		
Basic	$ 0.35	$ 1.07
Diluted	$ 0.35	$ 1.06

The following table presents the number of anti-dilutive options to purchase shares of our Class A common stock which have been excluded from the calculation of our weighted-average common shares outstanding:

	For the three months ended March 31,	
	2023	2022
Number of shares	5,526	4,650

NOTE 5. MARKETABLE INVESTMENT SECURITIES

The following table presents our *Marketable investment securities*:

	As of	
	March 31, 2023	December 31, 2022
Marketable investment securities:		
Available-for-sale debt securities:		
Corporate bonds	$ 189,211	$ 160,559
Commercial paper	452,642	687,927
Other debt securities	15,126	17,695
Total available-for-sale debt securities	656,979	866,181
Equity securities	109,990	118,790
Total marketable investment securities, including restricted amounts	766,969	984,971
Less: Restricted marketable investment securities	(11,800)	(11,056)
Total marketable investment securities	$ 755,169	$ 973,915

Debt Securities

Available-for-Sale

The following table presents the components of our available-for-sale debt securities:

	Amortized Cost	Unrealized Gains	Unrealized Losses	Estimated Fair Value
As of March 31, 2023				
Corporate bonds	$ 189,454	$ 158	$ (401)	$ 189,211
Commercial paper	452,643	—	(1)	452,642
Other debt securities	15,152	1	(27)	15,126
Total available-for-sale debt securities	$ 657,249	$ 159	$ (429)	$ 656,979
As of December 31, 2022				
Corporate bonds	$ 160,494	$ 125	$ (60)	$ 160,559
Commercial paper	687,956	—	(29)	687,927
Other debt securities	17,785	—	(90)	17,695
Total available-for-sale debt securities	$ 866,235	$ 125	$ (179)	$ 866,181

The following table presents the activity on our available-for-sale debt securities:

	For the three months ended March 31, 2023	For the three months ended March 31, 2022
Proceeds from sales	$ 38,109	$ 29,018

As of March 31, 2023, we have $573.8 million of available-for-sale debt securities with contractual maturities of one year or less and $83.2 million with contractual maturities greater than one year.

Equity Securities

The following table presents the activity of our equity securities:

	For the three months ended March 31, 2023	For the three months ended March 31, 2022
Gains (losses) on investments, net	$ (7,107)	$ 31,015

Fair Value Measurements

The following table presents our marketable investment securities categorized by the fair value hierarchy, certain of which have historically experienced volatility:

	Level 1	Level 2	Total
As of March 31, 2023			
Cash equivalents (including restricted)	$ 41,331	$ 772,068	$ 813,399
Available-for-sale debt securities:			
Corporate bonds	$ —	$ 189,211	$ 189,211
Commercial paper	—	452,642	452,642
Other debt securities	12,779	2,347	15,126
Total available-for-sale debt securities	12,779	644,200	656,979
Equity securities	100,287	9,703	109,990
Total marketable investment securities, including restricted amounts	113,066	653,903	766,969
Less: Restricted marketable investment securities	(11,800)	—	(11,800)
Total marketable investment securities	$ 101,266	$ 653,903	$ 755,169
As of December 31, 2022			
Cash equivalents (including restricted)	$ 657	$ 595,814	$ 596,471
Available-for-sale debt securities:			
Corporate bonds	$ —	$ 160,559	$ 160,559
Commercial paper	—	687,927	687,927
Other debt securities	15,968	1,727	17,695
Total available-for-sale debt securities	15,968	850,213	866,181
Equity securities	109,002	9,788	118,790
Total marketable investment securities, including restricted amounts	124,970	860,001	984,971
Less: Restricted marketable investment securities	(11,056)	—	(11,056)
Total marketable investment securities	$ 113,914	$ 860,001	$ 973,915

As of March 31, 2023 and December 31, 2022, we did not have any investments that were categorized within Level 3 of the fair value hierarchy.

NOTE 6. PROPERTY AND EQUIPMENT

The following table presents the components of *Property and equipment, net*:

	As of	
	March 31, 2023	December 31, 2022
Property and equipment, net:		
Satellites, net	$ 1,515,476	$ 1,563,033
Other property and equipment, net	660,385	674,584
Total property and equipment, net	$ 2,175,861	$ 2,237,617

Satellites

As of March 31, 2023, our satellite fleet consisted of ten geosynchronous ("GEO") satellites, seven of which are owned and three of which are leased. They are all in geosynchronous orbit, approximately 22,300 miles above the equator.

The following table presents our GEO satellite fleet as of March 31, 2023:

GEO Satellite	Segment	Launch Date	Nominal Degree Orbital Location (Longitude)	Depreciable Life (In Years)
Owned:				
SPACEWAY 3 (1)	Hughes	August 2007	95 W	10
EchoStar XVII	Hughes	July 2012	107 W	15
EchoStar XIX	Hughes	December 2016	97.1 W	15
Al Yah 3 (2)	Hughes	January 2018	20 W	7
EchoStar IX (3) (4)	ESS	August 2003	121 W	12
EUTELSAT 10A ("W2A") (5)	Corporate and Other	April 2009	10 E	-
EchoStar XXI	Corporate and Other	June 2017	10.25 E	15
Finance leases:				
Eutelsat 65 West A	Hughes	March 2016	65 W	15
Telesat T19V	Hughes	July 2018	63 W	15
EchoStar 105/SES-11	ESS	October 2017	105 W	15

(1) Depreciable life represents the remaining useful life as of June 8, 2011, the date EchoStar completed the acquisition of Hughes Communications, Inc. ("Hughes Communications") and its subsidiaries in 2011 (the "Hughes Acquisition").
(2) Upon consummation of our joint venture with Al Yah Satellite Communications Company PrJSC ("Yahsat") in Brazil in November 2019, we acquired the Brazilian Ka-band payload on this satellite. Depreciable life represents the remaining useful life as of November 2019.
(3) We own the Ka-band and Ku-band payloads on this satellite.
(4) The Company placed the satellite in an inclined-orbit in the first quarter of 2023. Inclined-orbit will extend its life to enable further revenue generating opportunities.
(5) We acquired the S-band payload on this satellite in December 2013. Prior to acquisition, the S-band payload experienced an anomaly at the time of launch and, as a result, is not fully operational.

The following table presents the components of our satellites, net:

	Depreciable Life (In Years)	As of March 31, 2023	As of December 31, 2022
Satellites, net:			
Satellites - owned	7 to 15	$ 1,804,811	$ 1,808,924
Satellites - acquired under finance leases	15	363,333	360,642
Construction in progress	—	592,402	608,773
Total satellites		2,760,546	2,778,339
Accumulated depreciation:			
Satellites - owned		(1,116,035)	(1,093,412)
Satellites - acquired under finance leases		(129,035)	(121,894)
Total accumulated depreciation		(1,245,070)	(1,215,306)
Total satellites, net		$ 1,515,476	$ 1,563,033

The following table presents the depreciation expense associated with our satellites, net:

	For the three months ended March 31,	
	2023	2022
Depreciation expense:		
Satellites - owned	$ 24,104	$ 24,196
Satellites - acquired under finance leases	6,018	5,987
Total depreciation expense	$ 30,122	$ 30,183

The following table presents capitalized interest associated with our satellites and satellite-related ground infrastructure:

	For the three months ended March 31,	
	2023	2022
Capitalized interest	$ 11,771	$ 10,382

Construction in Progress

In August 2017, we entered into a contract for the design and construction of the EchoStar XXIV satellite, a next-generation, high throughput geostationary satellite. The EchoStar XXIV satellite is primarily intended to provide additional capacity for our HughesNet service in North, Central and South America as well as enterprise broadband services. Capital expenditures associated with the construction and launch of the EchoStar XXIV satellite are included in Corporate and Other segment in our segment reporting.

Satellite-Related Commitments

As of March 31, 2023 and December 31, 2022, our satellite-related commitments were $199.3 million and $169.3 million, respectively. These include payments pursuant to: the EchoStar XXIV launch contract, regulatory authorizations, non-lease costs associated with our finance lease satellites, in-orbit incentives relating to certain satellites and commitments for satellite service arrangements.

In certain circumstances, the dates on which we are obligated to pay our contractual obligations could change.

Satellite Anomalies and Impairments

We are not aware of any anomalies with respect to our owned or leased satellites or payloads that have had any significant adverse effect on their remaining useful lives, the commercial operation of the satellites or payloads or our operating results or financial position as of and for the three months ended March 31, 2023.

During the first quarter of 2023, we lost contact with our third nano-satellite (“EG-3”), which was launched in the second quarter of 2021 and brought into use our Sirion-1 ITU filing in the third quarter of 2021. As of the end of the first quarter of 2023, we have discontinued attempts to reestablish contact with EG-3, and have notified the ITU to suspend the filing. Consequently, we canceled our contract with the vendor who manufactured and operated our nano-satellites and recorded an impairment charge of $3.1 million related to EG-3 and other related assets in the first quarter of 2023 in our Corporate and Other segment. We are not aware of any other anomalies with respect to our owned or leased satellites as of the date of these Consolidated Financial Statements.

Satellite Insurance

We generally do not carry in-orbit insurance on our satellites or payloads because we have assessed that the cost of insurance is not economical relative to the risk of failures. Therefore, we generally bear the risk of any in-orbit failures. Pursuant to the terms of our joint venture agreement with Yahsat, we are required to maintain insurance for the Al Yah 3 Brazilian payload during the commercial in-orbit service of such payload, subject to certain limitations on coverage. We have obtained certain insurance for our EchoStar XXIV satellite covering launch plus the first year of operations. We will continue to assess circumstances going forward and make insurance-related decisions on a case-by-case basis.

Fair Value of In-Orbit Incentives

As of March 31, 2023 and December 31, 2022, the fair values of our in-orbit incentive obligations approximated their carrying amounts of $48.4 million and $50.2 million, respectively.

NOTE 7. REGULATORY AUTHORIZATIONS

The following table presents our *Regulatory authorizations, net:*

	Finite lived				
	Cost	**Accumulated Amortization**	**Total**	**Indefinite lived**	**Total**
Balance, December 31, 2021	$ 57,137	$ (29,088)	$ 28,049	$ 441,717	$ 469,766
Amortization expense	—	(1,071)	(1,071)	—	(1,071)
Currency translation adjustments	(40)	358	318	1,316	1,634
Balance, March 31, 2022	$ 57,097	$ (29,801)	$ 27,296	$ 443,033	$ 470,329
Balance, December 31, 2022	$ 55,316	$ (31,946)	$ 23,370	$ 439,161	$ 462,531
Amortization expense	—	(1,050)	(1,050)	—	(1,050)
Currency translation adjustments	1,382	(630)	752	(677)	75
Balance, March 31, 2023	$ 56,698	$ (33,626)	$ 23,072	$ 438,484	$ 461,556
Weighted-average useful life (in years)		13			

NOTE 8. OTHER INVESTMENTS

The following table presents our *Other investments, net*:

	As of	
	March 31, 2023	**December 31, 2022**
Other investments, net:		
Equity method investments	$ 82,971	$ 83,523
Other equity investments	141,307	141,307
Other debt investments, net	140,676	131,875
Total other investments, net	$ 364,954	$ 356,705

Equity Method Investments

Deluxe/EchoStar LLC

We own 50% of Deluxe/EchoStar LLC ("Deluxe"), a joint venture that we entered into in 2010 to build an advanced digital cinema satellite distribution network targeting delivery to digitally equipped theaters in the U.S. and Canada.

Broadband Connectivity Solutions (Restricted) Limited

We own 20% of Broadband Connectivity Solutions (Restricted) Limited (together with its subsidiaries, "BCS"), a joint venture that we entered into in 2018 to provide commercial Ka-band satellite broadband services across Africa, the Middle East and southwest Asia operating over Yahsat's Al Yah 2 and Al Yah 3 Ka-band satellites.

Financial Information for Our Equity Method Investments

The following table presents revenue recognized:

	For the three months ended March 31,	
	2023	2022
Deluxe	$ 1,332	$ 1,323
BCS	$ 822	$ 1,771

The following table presents trade accounts receivable:

	As of	
	March 31, 2023	December 31, 2022
Deluxe	$ 1,045	$ 3,026
BCS	$ 5,437	$ 5,062

Other Equity Investments

The following table presents the activity on our investments:

	For the three months ended March 31,	
	2023	2022
Gain (loss) on investments, net	$ —	$ 49,671

Other Debt Investments, Net

The following table presents our other debt investments, net:

	As of	
	March 31, 2023	December 31, 2022
Other debt investments, net:		
Cost basis	$ 148,281	$ 143,267
Discount	(7,605)	(8,010)
Allowance for credit losses	—	(3,382)
Total other debt investments, net	$ 140,676	$ 131,875

In early April, 2023, we received proceeds of $148.4 million related to our *Other debt investments, net*.

NOTE 9. LONG-TERM DEBT

The following table presents the carrying amount and fair values of our *Long-term debt, net:*

		As of			
		March 31, 2023		December 31, 2022	
	Effective Interest Rate	Carrying Amount	Fair Value	Carrying Amount	Fair Value
Senior Secured Notes:					
5 1/4% Senior Secured Notes due 2026	5.320%	$ 750,000	$ 715,320	$ 750,000	$ 727,763
Senior Unsecured Notes:					
6 5/8% Senior Unsecured Notes due 2026	6.688%	750,000	712,433	750,000	707,490
Less: Unamortized debt issuance costs		(3,019)	—	(3,223)	—
Total long-term debt, net		$ 1,496,981	$ 1,427,753	$ 1,496,777	$ 1,435,253

NOTE 10. INCOME TAXES

Our income tax provision for interim periods is determined using an estimate of our annual effective tax rate, adjusted for discrete items, if any, in the relevant period. Each quarter we update our estimate of the annual effective tax rate, and if our estimated tax rate changes, we make a cumulative adjustment.

Our interim income tax provision and our interim estimate of our annual effective tax rate are influenced by several factors, including foreign losses and capital gains and losses for which related deferred tax assets are partially offset by a valuation allowance, changes in tax laws and relative changes in unrecognized tax benefits. Additionally, our effective tax rate can be affected by the amount of pre-tax income or loss. For example, the impact of discrete items and non-deductible expenses on our effective tax rate is greater when our pre-tax income or loss is lower.

Our income tax provision was $11.5 million for the three months ended March 31, 2023 compared to our income tax provision of $32.8 million for the three months ended March 31, 2022. Our effective income tax rate was 29.2% and 26.9% for the three months ended March 31, 2023 and 2022, respectively. The variations in our effective tax rate from the U.S. federal statutory rate for the three months ended March 31, 2023 were primarily due to excluded foreign losses where the Company carries a full valuation allowance, and the research tax credit. The variations in our effective tax rate from the U.S. federal statutory rate for the three months ended March 31, 2022 were primarily due to excluded foreign losses where the Company carries a full valuation allowance and the impact of state and local taxes.

NOTE 11. RELATED PARTY TRANSACTIONS - DISH NETWORK

Overview

EchoStar and DISH have operated as separate publicly-traded companies since 2008 (the “Spin-off”). A substantial majority of the voting power of the shares of each of EchoStar and DISH is owned beneficially by Charles W. Ergen, our Chairman, and by certain entities established for the benefit of his family.

In January 2017, we and certain of our subsidiaries entered into a share exchange agreement (the “Share Exchange Agreement”) with DISH and certain of its subsidiaries pursuant to which, in February 2017, we received all of the shares of preferred tracking stock previously issued by us and one of our subsidiaries (the “Tracking Stock”), representing an 80% economic interest in the residential retail satellite broadband business of our Hughes segment, in exchange for 100% of the equity interests of certain EchoStar subsidiaries that held substantially all of our EchoStar Technologies businesses and certain other assets (collectively, the “Share Exchange”). The Tracking Stock was retired in March 2017.

In September 2019, pursuant to a master transaction agreement (the “Master Transaction Agreement”) with DISH and a wholly-owned subsidiary of DISH (“Merger Sub”), (i) we transferred certain real property and the various businesses, products, licenses, technology, revenues, billings, operating activities, assets and liabilities primarily related to the former portion of our ESS segment that managed, marketed and provided (1) broadcast satellite services primarily to DISH Network and our former joint venture Dish Mexico, and (2) telemetry, tracking and control (“TT&C”) services for satellites owned by DISH Network and a portion of our other businesses (collectively, the “BSS Business”) to one of our former subsidiaries, EchoStar BSS Corporation (“BSS Corp.”), (ii) we distributed to each holder of shares of our Class A or Class B common stock entitled to receive consideration in the transaction an amount of shares of common stock of BSS Corp., par value $0.001 per share (“BSS Common Stock”), equal to one share of BSS Common Stock for each share of our Class A or Class B common stock owned by such stockholder (the “Distribution”); and (iii) immediately after the Distribution, (1) Merger Sub merged with and into BSS Corp. (the “Merger”), such that BSS Corp. became a wholly-owned subsidiary of DISH and with DISH then owning and operating the BSS Business, and (2) each issued and outstanding share of BSS Common Stock owned by EchoStar stockholders was converted into the right to receive 0.23523769 shares of DISH Class A common stock, par value $0.001 per share (“DISH Common Stock”) ((i) - (iii) collectively, the “BSS Transaction”).

In connection with and following the Spin-off, the Share Exchange and the BSS Transaction, we and DISH Network entered into certain agreements pursuant to which we obtain certain products, services and rights from DISH Network; DISH Network obtains certain products, services and rights from us; and we and DISH Network indemnify each other against certain liabilities arising from our respective businesses. Generally, the amounts we or DISH Network pay for products and services provided under the agreements are based on cost plus a fixed margin (unless noted differently below), which varies depending on the nature of the products and services provided. We may also enter into additional agreements with DISH Network in the future.

The following is a summary of the transactions and the terms of the underlying principal agreements that have had or may have an impact on our consolidated financial condition and results of operations.

Services and Other Revenue — DISH Network

The following table presents our *Services and other revenue - DISH Network*:

	For the three months ended March 31,	
	2023	2022
Services and other revenue - DISH Network	$ 6,291	$ 7,957

The following table presents the related trade accounts receivable:

	As of	
	March 31, 2023	December 31, 2022
Trade accounts receivable - DISH Network	$ 8,183	$ 3,492

Satellite Capacity Leased to DISH Network. Effective January 2008, DISH Network began leasing satellite capacity from us on the EchoStar IX satellite. We terminated the provision of this satellite capacity in December 2022.

Telesat Obligation Agreement. In September 2009, we entered into an agreement with Telesat Canada to lease satellite capacity from Telesat Canada on all 32 direct broadcast satellite (“DBS”) transponders on the Nimiq 5 satellite at the 72.7 degree west longitude orbital location (the “Telesat Transponder Agreement”). In September 2009, we entered into an agreement with DISH Network, pursuant to which DISH Network leased satellite capacity from us on all 32 of the DBS transponders covered by the Telesat Transponder Agreement (the “DISH Nimiq 5 Agreement”). Under the terms of the DISH Nimiq 5 Agreement, DISH Network made certain monthly payments to us that commenced in September 2009, when the Nimiq 5 satellite was placed into service. We transferred the Telesat Transponder Agreement to DISH Network in September 2019 as part of the BSS Transaction; however, we retained certain obligations related to DISH Network’s performance under that agreement and we entered into an agreement with DISH Network whereby DISH Network compensates us for retaining such obligations.

Real Estate Leases to DISH Network. We have entered into lease agreements pursuant to which DISH Network leases certain real estate from us. The rent on a per square foot basis for each of the leases is comparable to per square foot rental rates of similar commercial property in the same geographic area at the time of the leases or subsequent amendments. Additionally, DISH Network compensates us for its portion of the taxes, insurance, utilities and/or maintenance of the premises. The terms of each of the leases are set forth below:

- ***100 Inverness Occupancy License Agreement*** — In March 2017, we and DISH Network entered into a license agreement for DISH Network to use certain of our space at 100 Inverness Terrace East, Englewood, Colorado for an initial period ending in December 2020. We and DISH Network have amended this lease over time to, among other things, extend the term through December 2023. This agreement may be terminated by either party upon 180 days' prior notice. In connection with the BSS Transaction, we transferred to DISH Network the Englewood Satellite Operations Center located at 100 Inverness Terrace East, including any and all equipment, hardware licenses, software, processes, software licenses, furniture and technical documentation associated with the satellites transferred in the BSS Transaction.

- ***Meridian Lease Agreement*** — The lease for all of 9601 S. Meridian Blvd., Englewood, Colorado was originally for a period ending in December 2016. We and DISH Network have amended this lease over time to, among other things, extend the term through December 2023.

TerreStar Agreement. In March 2012, DISH Network completed its acquisition of substantially all the assets of TerreStar Networks Inc. ("TerreStar"). Prior to DISH Network's acquisition of substantially all the assets of TerreStar and our completion of the Hughes Acquisition, TerreStar and HNS entered into various agreements pursuant to which we provide, among other things, warranty, operations and maintenance and hosting services for TerreStar's ground-based communications equipment (the "TerreStar Agreements"). In December 2017, we and DISH Network amended these agreements, effective as of January 1, 2018, to reduce certain pricing terms through December 31, 2023 and to modify certain termination provisions. DISH Network generally has the right to continue to receive warranty services from us for our products on a month-to-month basis unless terminated by DISH Network upon at least 21 days' written notice to us. DISH Network generally has the right to continue to receive operations and maintenance services from us on a quarter-to-quarter basis unless these services are terminated by DISH Network upon at least 90 days' written notice to us. In addition, DISH Network generally may terminate any and all services for convenience subject to providing us with prior notice and/or payment of termination charges. In March 2020, we entered into an agreement with DISH Network pursuant to which we perform certain work and provide certain credits to amounts owed to us under the TerreStar Agreements in exchange for DISH Network's granting us rights to use certain satellite capacity under the Amended and Restated Professional Services Agreement (as defined below). As a result, we and DISH Network amended the TerreStar Agreements to suspend our provision of warranty services to DISH Network from April 2020 through December 2020. Following the expiration of this suspension, we have recommenced providing warranty services to DISH Network. In May 2022, we and DISH Network amended the agreement for the provision of hosting services to extend the term until May 2027.

Hughes Broadband Distribution Agreement. Effective October 2012, we and DISH Network entered into a distribution agreement (the "Distribution Agreement") pursuant to which DISH Network has the right, but not the obligation, to market, sell and distribute our Gen 4 HughesNet service. DISH Network pays us a monthly per subscriber wholesale service fee for our Gen 4 HughesNet service based upon a subscriber's service level and based upon certain volume subscription thresholds. The Distribution Agreement also provides that DISH Network has the right, but not the obligation, to purchase certain broadband equipment from us to support the sale of the Gen 4 HughesNet service. The Distribution Agreement had an initial term of five years with automatic renewal for successive one-year terms unless terminated by either party with a written notice at least 180 days' before the expiration of the then-current term. In February 2014, we and DISH Network entered into an amendment to the Distribution Agreement which, among other things, extended the initial term of the Distribution Agreement until March 2024. Upon expiration or termination of the Distribution Agreement, we and DISH Network will continue to provide our Gen 4 HughesNet service to the then-current DISH Network subscribers pursuant to the terms and conditions of the Distribution Agreement.

DBSD North America Agreement. In March 2012, DISH Network completed its acquisition of all of the equity of DBSD North America, Inc. ("DBSD North America"). Prior to DISH Network's acquisition of DBSD North America and our completion of the Hughes Acquisition, DBSD North America and HNS entered into various agreements pursuant to which we provide, among other things, warranty, operations and maintenance and hosting services of

DBSD North America's gateway and ground-based communications equipment. In December 2017, we and DBSD North America amended these agreements, effective as of January 1, 2018, to reduce certain pricing terms through December 31, 2023 and to modify certain termination provisions. DBSD North America has the right to continue to receive operations and maintenance services from us on a quarter-to-quarter basis, unless terminated by DBSD North America upon at least 120 days' written notice to us. In February 2019, we further amended these agreements to provide DBSD North America with the right to continue to receive warranty services from us on a month-to-month basis until December 2023, unless terminated by DBSD North America upon at least 21 days' written notice to us. The provision of hosting services will continue until February 2027 unless terminated by DBSD North America upon at least 180 days' written notice to us. In addition, DBSD North America generally may terminate any and all such services for convenience, subject to providing us with prior notice and/or payment of termination charges.

Hughes Equipment and Services Agreement. In February 2019, we and DISH Network entered into an agreement pursuant to which we will sell to DISH Network our HughesNet Service and HughesNet equipment that has been modified to meet DISH Network's internet-of-things specifications for the transfer of data to DISH Network's network operations centers. This agreement has an initial term of five years expiring February 2024 with automatic renewal for successive one-year terms unless terminated by DISH Network with at least 180 days' written notice to us or by us with at least 365 days' written notice to DISH Network.

Operating Expenses — DISH Network

The following table presents our operating expenses related to DISH Network:

	For the three months ended March 31,	
	2023	2022
Operating expenses - DISH Network	$ 1,337	$ 1,332

The following table presents the related trade accounts payable:

	As of	
	March 31, 2023	December 31, 2022
Trade accounts payable - DISH Network	$ 555	$ 669

Amended and Restated Professional Services Agreement. In connection with the Spin-off, we entered into various agreements with DISH Network including a transition services agreement, satellite procurement agreement and services agreement, all of which expired in January 2010 and were replaced by a professional services agreement (the "Professional Services Agreement"). In January 2010, we and DISH Network agreed that we continue to have the right, but not the obligation, to receive the following services from DISH Network, among others, certain of which were previously provided under a transition services agreement: information technology, travel and event coordination, internal audit, legal, accounting and tax, benefits administration, program acquisition services and other support services. Additionally, we and DISH Network agreed that DISH Network would continue to have the right, but not the obligation, to engage us to manage the process of procuring new satellite capacity for DISH Network (previously provided under a satellite procurement agreement), receive logistics, procurement and quality assurance services from us (previously provided under a services agreement) and provide other support services. In connection with the consummation of the Share Exchange, we and DISH amended and restated the Professional Services Agreement (as amended to date, the "Amended and Restated Professional Services Agreement") to provide that we and DISH Network shall have the right to receive additional services that either we or DISH Network may require as a result of the Share Exchange, including access to antennas owned by DISH Network for our use in performing TT&C services and maintenance and support services for our antennas (collectively, the "TT&C Antennas"). In September 2019, in connection with the BSS Transaction, we and DISH further amended the Amended and Restated Professional Services Agreement to provide that we and DISH Network shall have the right to receive additional services that either we or DISH Network may require as a result of the BSS Transaction and to remove our access to and the maintenance and support services for the TT&C

Antennas. The current term of the Amended and Restated Professional Services Agreement is through January 1, 2024 and renews automatically for successive one-year periods thereafter, unless the agreement is terminated earlier by either party upon at least 60 days' notice. We or DISH Network may generally terminate the Amended and Restated Professional Services Agreement in part with respect to any particular service it receives for any reason upon at least 30 days' notice, unless the statement of work for particular services states otherwise. Certain services provided under the Amended and Restated Professional Services Agreement may survive the termination of the agreement.

Real Estate Leases from DISH Network. Effective March 2017, we entered into a lease with DISH Network for certain space at 530 EchoStar Drive in Cheyenne, Wyoming for an initial period ending in February 2019. In August 2018, we exercised our option to renew this lease for a one-year period ending in February 2020. In connection with the BSS Transaction, we transferred the Cheyenne Satellite Operations Center, including any equipment, software licenses, and furniture located within, to DISH Network and amended this lease to reduce the space provided to us for the Cheyenne Satellite Access Center for a period ending in September 2021. In March 2021, we exercised our option to renew this lease for a one-year period ending September 2022 and amended the lease to provide us the option to renew this lease for up to three additional years. In November 2021, we exercised our option to renew this lease for a one-year period ending September 2023.

Collocation and Antenna Space Agreements. We and DISH Network entered into an agreement pursuant to which DISH Network provided us with collocation space in El Paso, Texas. This agreement was for an initial period ending in July 2015, and provided us with renewal options for four consecutive three-year terms. We exercised our first renewal option for a period commencing in August 2015 and ending in July 2018, in April 2018 we exercised our second renewal option for a period ending in July 2021, and in May 2021 we exercised our third renewal option for a period ending in July 2024. In connection with the Share Exchange, effective March 2017, we also entered into certain agreements pursuant to which DISH Network provides collocation and antenna space to EchoStar through February 2022 at the following locations: Cheyenne, Wyoming; Gilbert, Arizona; New Braunfels, Texas; Monee, Illinois; Spokane, Washington; and Englewood, Colorado. In October 2019, we provided a termination notice for our New Braunfels, Texas agreement effective May 2020. In November 2020, we provided a termination notice for one of our Englewood, Colorado agreements effective May 2021. In November 2021, we exercised our right to renew the collocation agreements at Gilbert, Arizona, Cheyenne, Wyoming, Spokane, Washington, Englewood, Colorado and Monee, Illinois for a period ending in February 2025. In August 2017, we and DISH Network also entered into certain other agreements pursuant to which DISH Network provides additional collocation and antenna space to us in Monee, Illinois and Spokane, Washington through August 2022. In May 2022, we exercised our right to renew such other agreements at Monee, Illinois and Spokane, Washington through August 2025. Generally, we may renew our collocation and antenna space agreements for three-year periods by providing DISH Network with prior written notice no more than 120 days but no less than 90 days prior to the end of the then-current term. We may terminate certain of these agreements with 60 days' prior written notice and certain other of these agreements with 180 days' prior written notice. In September 2019, in connection with the BSS Transaction, we entered into an agreement pursuant to which DISH Network provided us with certain additional collocation space in Cheyenne, Wyoming for a period that ended in September 2020. The fees for the services provided under these agreements depend on the number of racks located at the location.

Also in connection with the BSS Transaction, in September 2019, we entered into an agreement pursuant to which DISH Network provides us with antenna space and power in Cheyenne, Wyoming for a period of five years commencing in August 2020, with four three-year renewal terms, with prior written notice of renewal required no more than 120 days but no less than 90 days prior to the end of the then-current term. In March 2021, we entered into additional agreements pursuant to which DISH Network provides us with antenna space and power in Cheyenne, Wyoming, and the right to use an antenna and certain space in Gilbert, Arizona. Both agreements are for a period of five years with four three-year renewal terms, with prior written notice of renewal required no more than 120 days but no less than 90 days prior to the end of the then-current term.

Hughes Broadband Master Services Agreement. In conjunction with the launch of our EchoStar XIX satellite, in March 2017, we and DISH Network entered into a master service agreement (the "Hughes Broadband MSA") pursuant to which DISH Network, among other things: (i) has the right, but not the obligation, to market, promote and solicit orders and upgrades for our Gen 5 HughesNet service and related equipment and other telecommunication services and (ii) installs Gen 5 HughesNet service equipment with respect to activations generated by DISH Network. Under the Hughes Broadband MSA, we and DISH Network make certain payments to each other relating to sales, upgrades, purchases and installation services. The current term of the Hughes

Broadband MSA is through March 2023 with automatic renewal for successive one-year terms. Either party has the ability to terminate the Hughes Broadband MSA, in whole or in part, for any reason upon at least 90 days' notice to the other party. Upon expiration or termination of the Hughes Broadband MSA, we will continue to provide our Gen 5 HughesNet service to subscribers and make certain payments to DISH Network pursuant to the terms and conditions of the Hughes Broadband MSA. We incurred sales incentives and other costs under the Hughes Broadband MSA totaling $0.7 million and $1.7 million for the three months ended March 31, 2023 and 2022, respectively.

2019 TT&C Agreement. In September 2019, in connection with the BSS Transaction, we entered into an agreement pursuant to which DISH Network provides TT&C services to us for a period ending in September 2021, with the option for us to renew for a one-year period upon written notice at least 90 days prior to the initial expiration (the "2019 TT&C Agreement"). In June 2021, we amended the 2019 TT&C Agreement to extend the term until September 2022 and added the option for us to renew the 2019 TT&C Agreement up to an additional three years. In September 2022, we exercised the option to renew the 2019 TT&C Agreement until September 2023. The fees for services provided under the 2019 TT&C Agreement are calculated at either: (i) a fixed fee or (ii) cost plus a fixed margin, which will vary depending on the nature of the services provided. Any party is able to terminate the 2019 TT&C Agreement for any reason upon 12 months' notice.

Referral Marketing Agreement. In June 2021, we and DISH Network entered into an agreement pursuant to which we will pre-qualify prospects contacting Hughes call centers and transfer those prospects to DISH Network for introduction to DISH Network's video services, for prospects that convert Hughes will receive a commission. This agreement has an indefinite term and may be terminated by either party upon 90 days' prior written notice.

Whidbey Island 5G Network Test Bed Subcontract. In June 2022, we and DISH Wireless entered into a subcontract ("DISH Subcontract") pursuant to which DISH will provide access and use of a DISH lab, technical support and integration and testing support for the 5G network test bed to be delivered by Hughes to its customer.

Other Receivables - DISH Network

The following table presents our other receivables owed from DISH Network:

	As of	
	March 31, 2023	December 31, 2022
Other receivables - DISH Network, noncurrent	$ 75,865	$ 74,923

Tax Sharing Agreement. Effective December 2007, we and DISH Network entered into a tax sharing agreement (the "Tax Sharing Agreement") in connection with the Spin-off. This agreement governs our and DISH Network's respective rights, responsibilities and obligations after the Spin-off with respect to taxes for the periods ending on or before the Spin-off. Generally, all pre-Spin-off taxes, including any taxes that are incurred as a result of restructuring activities undertaken to implement the Spin-off, are borne by DISH Network and DISH Network indemnifies us for such taxes. However, DISH Network is not liable for and does not indemnify us for any taxes that are incurred as a result of the Spin-off or certain related transactions failing to qualify as tax-free distributions pursuant to any provision of Section 355 or Section 361 of the Internal Revenue Code of 1986, as amended (the "Code"), because of: (i) a direct or indirect acquisition of any of our stock, stock options or assets; (ii) any action that we take or fail to take or (iii) any action that we take that is inconsistent with the information and representations furnished to the IRS in connection with the request for the private letter ruling, or to counsel in connection with any opinion being delivered by counsel with respect to the Spin-off or certain related transactions. In such case, we will be solely liable for, and will indemnify DISH Network for any resulting taxes, as well as any losses, claims and expenses. The Tax Sharing Agreement will terminate after the later of the full period of all applicable statutes of limitations, including extensions, or once all rights and obligations are fully effectuated or performed.

In light of the Tax Sharing Agreement, among other things, and in connection with our consolidated federal income tax returns for certain tax years prior to and for the year of the Spin-off, in September 2013, we and DISH Network agreed upon a supplemental allocation of the tax benefits arising from certain tax items resolved in the course of the IRS's examination of our consolidated tax returns. Prior to the agreement with DISH Network in 2013, the federal tax benefits were reflected as a deferred tax asset for depreciation and amortization, which was netted in our non-current deferred tax liabilities. Under the agreement with DISH Network from 2013, DISH Network is paying us the federal tax benefit it receives at such time as we would have otherwise been able to realize such tax benefit. We recorded a current receivable from DISH Network in Other receivables - DISH Network, current and a non-current receivable from DISH Network in Other receivables - DISH Network, noncurrent and a corresponding increase in our *Deferred tax liabilities, net* to reflect the effects of this agreement. In addition, in September 2013, we and DISH Network agreed upon a tax sharing arrangement for filing certain combined state income tax returns and a method of allocating the respective tax liabilities between us and DISH Network for such combined returns, through the taxable period ending on December 31, 2017 (the "State Tax Arrangement").

In August 2018, we and DISH Network amended the Tax Sharing Agreement and the 2013 agreements (the "Tax Sharing Amendment"). Under the Tax Sharing Amendment, to the extent permitted by applicable tax law, DISH Network is entitled to apply the benefit of our 2009 net operating losses (the "SATS 2009 NOLs") to DISH Network's federal tax return for the year ended December 31, 2008, in exchange for DISH Network paying us over time the value of the net annual federal income taxes paid by us that would have been otherwise offset by the SATS 2009 NOLs. The Tax Sharing Amendment also requires us and DISH Network to pay the other for the benefits of certain past and future federal research and development tax credits that we or DISH Network receive or received as a result of being part of a controlled group under the Code, and requires DISH Network to compensate us for certain past tax losses utilized by DISH Network and for certain past and future excess California research and development tax credits generated by us and used by DISH Network. In addition, the Tax Sharing Amendment extends the term of the State Tax Arrangement to the earlier of termination of the Tax Sharing Agreement, a change in control of either us or DISH Network or, for any particular state, if we and DISH Network no longer file a combined tax return for such state.

We and DISH Network filed combined income tax returns in certain states from 2008 through 2019. We have earned and recognized tax benefits for certain state income tax credits that we would be unable to fully utilize currently if we had filed separately from DISH Network. We have charged *Additional paid-in capital* in prior periods when DISH Network has utilized such tax benefits. We expect to increase *Additional paid-in capital* upon receipt of any consideration that DISH Network pays to us in exchange for these tax credits.

Other Agreements

Master Transaction Agreement. In May 2019, we and BSS Corp. entered into the Master Transaction Agreement with DISH and Merger Sub with respect to the BSS Transaction. Pursuant to the terms of the Master Transaction Agreement, on September 10, 2019: (i) we transferred the BSS Business to BSS Corp.; (ii) we completed the Distribution; and (iii) immediately after the Distribution, (1) BSS Corp. became a wholly-owned subsidiary of DISH such that DISH owns and operates the BSS Business and (2) each issued and outstanding share of BSS Common Stock owned by EchoStar stockholders was converted into the right to receive 0.23523769 shares of DISH Common Stock. Following the consummation of the BSS Transaction, we no longer operate the BSS Business, which was a substantial portion of our ESS segment. The Master Transaction Agreement contained customary representations and warranties by us and DISH Network, including our representations relating to the assets, liabilities and financial condition of the BSS Business, and representations by DISH Network relating to its financial condition and liabilities. We and DISH Network have agreed to indemnify each other against certain losses with respect to breaches of certain representations and covenants and certain retained and assumed liabilities, respectively.

BSS Transaction Intellectual Property and Technology License Agreement. Effective September 2019, in connection with the BSS Transaction, we and DISH Network entered into an intellectual property and technology license agreement (the "BSS IPTLA") pursuant to which we and DISH Network license to each other certain intellectual property and technology. The BSS IPTLA will continue in perpetuity, unless mutually terminated by the parties. Pursuant to the BSS IPTLA, we granted to DISH Network a license to our intellectual property and technology for use by DISH Network, among other things, in connection with its continued operation of the BSS Business acquired pursuant to the BSS Transaction, including a limited license to use the "ESS" and "ECHOSTAR SATELLITE SERVICES" trademarks during a transition period. EchoStar retains full ownership of the "ESS" and "ECHOSTAR SATELLITE SERVICES" trademarks. In addition, DISH Network granted a license back to us, among other things, for the continued use of all intellectual property and technology that is used in our retained businesses but the ownership of which was transferred to DISH Network pursuant to the BSS Transaction.

BSS Transaction Tax Matters Agreement. Effective September 2019, in connection with the BSS Transaction, we, BSS Corp. and DISH entered into a tax matters agreement. This agreement governs certain of our rights, responsibilities and obligations with respect to taxes of the BSS Business transferred pursuant to the BSS Transaction. Generally, we are responsible for all tax returns and tax liabilities for the BSS Business for periods prior to the BSS Transaction and DISH is responsible for all tax returns and tax liabilities for the BSS Business from and after the BSS Transaction. Both we and DISH made certain tax-related representations and are subject to various tax-related covenants after the consummation of the BSS Transaction. Both we and DISH Network have agreed to indemnify each other for certain losses if there is a breach of any the tax representations or violation of any of the tax covenants in the tax matters agreement and that breach or violation results in the failure of the BSS Transaction being treated as a transaction that is tax-free for EchoStar or its stockholders for U.S. federal income tax purposes. In addition, DISH Network has agreed to indemnify us if the BSS Business is acquired, either directly or indirectly (e.g., via an acquisition of DISH Network), by one or more persons, where either it took an action, or knowingly facilitated, consented to or assisted with an action by its stockholders, that resulted in the failure of the BSS Transaction being treated as a transaction that is tax-free for EchoStar and its stockholders for U.S. federal income tax purposes. This tax matters agreement supplements the Tax Sharing Agreement outlined above and the Share Exchange Tax Matters Agreement outlined below, both of which continue in full force and effect.

BSS Transaction Employee Matters Agreement. Effective September 2019, in connection with the BSS Transaction, we and DISH Network entered into an employee matters agreement that addressed the transfer of employees from us to DISH Network, including certain benefit and compensation matters and the allocation of responsibility for employee related liabilities relating to current and past employees of the BSS Business. DISH Network assumed employee-related liabilities relating to the BSS Business as part of the BSS Transaction, except that we are responsible for certain pre-BSS Transaction compensation and benefits for employees who transferred to DISH Network in connection with the BSS Transaction.

Share Exchange Agreement. In February 2017 we consummated the Share Exchange, following which we no longer operate the transferred EchoStar Technologies businesses and the Tracking Stock was retired and is no longer outstanding and all agreements, arrangements and policy statements with respect to such Tracking Stock terminated and are of no further effect. Pursuant to the Share Exchange Agreement, we transferred certain assets, investments in joint ventures, spectrum licenses and real estate properties and DISH Network assumed certain liabilities relating to the transferred assets and businesses. The Share Exchange Agreement contained customary representations and warranties by the parties, including representations by us related to the transferred assets, assumed liabilities and the financial condition of the transferred businesses. We and DISH Network also agreed to customary indemnification provisions whereby each party indemnifies the other against certain losses with respect to breaches of representations, warranties or covenants and certain liabilities and if certain actions undertaken by us or DISH causes the transaction to be taxable to the other party after closing.

Share Exchange Intellectual Property and Technology License Agreement. Effective March 2017, in connection with the Share Exchange, we and DISH Network entered into an intellectual property and technology license agreement (“IPTLA”) pursuant to which we and DISH Network license to each other certain intellectual property and technology. The IPTLA will continue in perpetuity, unless mutually terminated by the parties. Pursuant to the IPTLA, we granted to DISH Network a license to our intellectual property and technology for use by DISH Network, among other things, in connection with its continued operation of the businesses acquired pursuant to the Share Exchange, including a limited license to use the “ECHOSTAR” trademark during a transition period. EchoStar retains full ownership of the “ECHOSTAR” trademark. In addition, DISH Network granted a license back to us, among other things, for the continued use of all intellectual property and technology that is used in our retained businesses but the ownership of which was transferred to DISH Network pursuant to the Share Exchange.

Share Exchange Tax Matters Agreement. Effective March 2017, in connection with the Share Exchange, we and DISH entered into a tax matters agreement. This agreement governs certain of our rights, responsibilities and obligations with respect to taxes of the transferred businesses pursuant to the Share Exchange. Generally, we are responsible for all tax returns and tax liabilities for the transferred businesses and assets for periods prior to the Share Exchange and DISH Network is responsible for all tax returns and tax liabilities for the transferred businesses and assets from and after the Share Exchange. Both we and DISH Network made certain tax-related representations and are subject to various tax-related covenants after the consummation of the Share Exchange. Both we and DISH Network have agreed to indemnify each other if there is a breach of any such tax representation or violation of any such tax covenant and that breach or violation results in the Share Exchange not qualifying for tax free treatment for the other party. In addition, DISH Network has agreed to indemnify us if the transferred businesses are acquired, either directly or indirectly (e.g., via an acquisition of DISH Network), by one or more persons and such acquisition results in the Share Exchange not qualifying for tax free treatment. The tax matters agreement supplements the Tax Sharing Agreement outlined above which continues in full force and effect.

Share Exchange Employee Matters Agreement. Effective March 2017, in connection with the Share Exchange, we and DISH Network entered into an employee matters agreement that addressed the transfer of employees from us to DISH Network, including certain benefit and compensation matters and the allocation of responsibility for employee related liabilities relating to current and past employees of the transferred businesses. DISH Network assumed employee-related liabilities relating to the transferred businesses as part of the Share Exchange, except that we are responsible for certain pre-Share Exchange employee related litigation, and compensation and benefits for employees who transferred to DISH Network in connection with the Share Exchange.

NOTE 12. RELATED PARTY TRANSACTIONS - OTHER

Hughes Systique Corporation

We contract with Hughes Systique Corporation ("Hughes Systique") for software development services. In addition to our approximately 42% ownership in Hughes Systique, Mr. Pradman Kaul, the former President of our subsidiary Hughes Communications and Vice-Chair of our board of directors (effective January 1, 2023), and his brother, who is the Chief Executive Officer and President of Hughes Systique, own in the aggregate approximately 25%, on an undiluted basis, of Hughes Systique's outstanding shares as of March 31, 2023. Furthermore, Mr. Pradman Kaul serves on the board of directors of Hughes Systique. Hughes Systique is a variable interest entity and we are considered the primary beneficiary of Hughes Systique due to, among other factors, our ability to direct the activities that most significantly impact the economic performance of Hughes Systique. As a result, we consolidate Hughes Systique's financial statements in these Consolidated Financial Statements.

TerreStar Solutions

DISH Network owns more than 15% of TerreStar Solutions, Inc. ("TSI"). In May 2018, we and TSI entered into an equipment and services agreement pursuant to which we design, manufacture and install upgraded ground communications network equipment for TSI's network and provide, among other things, warranty and support services. We recognized revenue of $0.5 million, and $0.5 million for the three months ended March 31, 2023, and 2022, respectively. As of March 31, 2023 we had $0.5 million of trade accounts receivable from TSI.

NOTE 13. CONTINGENCIES

Contingencies

Patents and Intellectual Property

Many entities, including some of our competitors, have, or may have in the future, patents and other intellectual property rights that cover or affect products or services directly or indirectly related to those that we offer. We may not be aware of all patents and other intellectual property rights that our products and services may potentially infringe. Damages in patent infringement cases can be substantial, and in certain circumstances can be tripled. Further, we cannot estimate the extent to which we may be required in the future to obtain licenses with respect to intellectual property rights held by others and the availability and cost of any such licenses. Various parties have asserted patent and other intellectual property rights with respect to our products and services. We cannot be certain that these parties do not own the rights they claim, that these rights are not valid or that our products and services do not infringe on these rights. Further, we cannot be certain that we would be able to obtain licenses from these parties on commercially reasonable terms or, if we were unable to obtain such licenses, that we would be able to redesign our products and services to avoid infringement.

Certain Arrangements with DISH Network

In connection with our spin-off from DISH in 2008, we entered into a separation agreement with DISH Network that provides, among other things, for the division of certain liabilities, including liabilities resulting from litigation. Under the terms of the separation agreement, we assumed certain liabilities that relate to our business, including certain designated liabilities for acts or omissions that occurred prior to the Spin-off. Certain specific provisions govern intellectual property related claims under which we will generally only be liable for our acts or omissions following the Spin-off and DISH Network will indemnify us for any liabilities or damages resulting from intellectual property claims relating to the period prior to the Spin-off as well as DISH Network's acts or omissions following the Spin-off. In connection with the Share Exchange and BSS Transaction, we entered into the Share Exchange Agreement and the Master Transaction Agreement, respectively, and other agreements which provide, among other things, for the division of certain liabilities, including liabilities relating to taxes, intellectual property and employees and liabilities resulting from litigation and the assumption of certain liabilities that relate to the transferred businesses and assets. These agreements also contain additional indemnification provisions between us and DISH Network for, in the case of the Share Exchange, certain pre-existing liabilities and legal proceedings and, in the case of the BSS Transaction, certain losses with respect to breaches of certain representations and covenants and certain liabilities.

Litigation

We are involved in a number of legal proceedings concerning matters arising in connection with the conduct of our business activities. Many of these proceedings are at preliminary stages and/or seek an indeterminate amount of damages. We regularly evaluate the status of the legal proceedings in which we are involved to assess whether a loss is probable and to determine if accruals are appropriate. We record an accrual for litigation and other loss contingencies when we determine that a loss is probable, and the amount of the loss can be reasonably estimated. If accruals are not appropriate, we further evaluate each legal proceeding to assess whether an estimate of possible loss or range of loss can be made. There can be no assurance that legal proceedings against us will be resolved in amounts that will not differ from the amounts of our recorded accruals. Legal fees and other costs of defending legal proceedings are charged to expense as incurred.

For certain proceedings, management is unable to predict with any degree of certainty the outcome or provide a meaningful estimate of the possible loss or range of possible loss because, among other reasons: (i) the proceedings are in various stages; (ii) damages have not been sought or specified; (iii) damages are unsupported, indeterminate and/or exaggerated in management's opinion; (iv) there is uncertainty as to the outcome of pending trials, appeals, motions or other proceedings; (v) there are significant factual issues to be resolved; and/or (vi) there are novel legal issues or unsettled legal theories to be presented or a large number of parties are involved (as with many patent-related cases). Except as described below, however, management does not believe, based on currently available information, that the outcomes of these proceedings will have a material effect on our financial condition, operating results or cash flows, though there is no assurance that the resolution and outcomes of these proceedings, individually or in the aggregate, will not be material to our financial condition, operating results or cash flows for any particular period, depending, in part, upon the operating results for such period.

We intend to vigorously defend the proceedings against us. In the event that a court, tribunal, other body or jury ultimately rules against us, we may be subject to adverse consequences, including, without limitation, substantial damages, which may include treble damages, fines, penalties, compensatory damages and/or other equitable or injunctive relief that could require us to materially modify our business operations or certain products or services that we offer to our consumers.

Shareholder Litigation

On July 2, 2019, the City of Hallandale Beach Police Officers' and Firefighters' Personnel Retirement Trust, purporting to sue on behalf of a class of EchoStar's stockholders, filed a complaint in the District Court of Clark County, Nevada against our directors, Charles W. Ergen, R. Stanton Dodge, Anthony M. Federico, Pradman P. Kaul, C. Michael Schroeder, Jeffrey R. Tarr, William D. Wade, and Michael T. Dugan; our chief financial officer, David J. Rayner; EchoStar; our subsidiary HSSC; our former subsidiary BSS Corp.; and DISH and its subsidiary Merger Sub. On September 5, 2019, the defendants filed motions to dismiss. On October 11, 2019, the plaintiffs filed an amended complaint removing Messrs. Dodge, Federico, Kaul, Schroeder, Tarr and Wade as defendants. The amended complaint alleges that Mr. Ergen, as our controlling stockholder, breached fiduciary duties to EchoStar's minority stockholders by structuring the BSS Transaction with inadequate consideration and improperly influencing our and HSSC's boards of directors to approve the BSS Transaction. The amended complaint also alleges that the other defendants aided and abetted such alleged breaches. The plaintiffs seek equitable and monetary relief, including the issuance of additional DISH Common Stock, and other costs and disbursements, including attorneys' fees on behalf of the purported class. On November 11, 2019, we and the other defendants filed separate motions to dismiss plaintiff's amended complaint and during a hearing on January 13, 2020 the court denied these motions. On February 10, 2020, we and the other defendants filed answers to the amended complaint. The Court certified plaintiff's class on January 11, 2021. On June 18, 2021, the parties executed a settlement agreement to resolve all claims in this case. On the same day, the parties filed a joint motion for preliminary approval of the settlement agreement. The motion was granted by an order dated July 30, 2021. On December 9, 2021, the Court held a final settlement hearing. On December 10, 2021, the Court issued an Order granting final approval of the settlement agreement. In an order dated October 24, 2022, the Court granted plaintiff's unopposed motion to approve the class distribution plan.

License Fee Dispute with Government of India, Department of Telecommunications

In 1994, the Government of India promulgated a "National Telecommunications Policy" under which the government liberalized the telecommunications sector and required telecommunications service providers to pay fixed license fees. Pursuant to this policy, our subsidiary Hughes Communications India Private Limited ("HCIPL"), formerly known as Hughes Escorts Communications Limited, obtained a license to operate a data network over satellite using VSAT systems. In 2002, HCIPL's license was amended pursuant to a new government policy that was first established in 1999. The new policy eliminated the fixed license fees and instead required each telecommunications service provider to pay license fees based on its adjusted gross revenue ("AGR"). In March 2005, the Indian Department of Telecommunications ("DOT") notified HCIPL that, based on its review of HCIPL's audited accounts and AGR statements, HCIPL must pay additional license fees and penalties and interest on such fees and penalties. HCIPL responded that the DOT had improperly calculated its AGR by including revenue from licensed and unlicensed activities. The DOT rejected this explanation and in 2006, HCIPL filed a petition with an administrative tribunal (the "Tribunal"), challenging the DOT's calculation of its AGR. The DOT also issued license fee assessments to other telecommunications service providers and a number of similar petitions were filed by several other such providers with the Tribunal. These petitions were amended, consolidated, remanded and re-appealed several times. On April 23, 2015, the Tribunal issued a judgment affirming the DOT's calculation of AGR for the telecommunications service providers but reversing the DOT's imposition of interest, penalties and interest on such penalties as excessive. Over subsequent years, the DOT and HCIPL and other telecommunications service providers, respectively, filed several appeals of the Tribunal's ruling. On October 24, 2019, the Supreme Court of India ("Supreme Court") issued an order (the "October 2019 Order") affirming the license fee assessments imposed by the DOT, including its imposition of interest, penalties and interest on the penalties, but without indicating the amount HCIPL is required to pay the DOT, and ordering payment by January 23, 2020. On November 23, 2019, HCIPL and other telecommunication service providers filed a petition asking the Supreme Court to reconsider the October 2019 Order. The petition was denied on January 20, 2020. On January 22, 2020, HCIPL and other telecommunication service providers filed an application requesting that the Supreme Court modify the October 2019 Order to permit the DOT to calculate the final amount due and extend HCIPL's and the other telecommunication service providers' payment deadline. On February 14, 2020, the Supreme Court directed HCIPL and the other telecommunication service providers to explain why the Supreme Court should not initiate contempt proceedings for failure to pay the amounts due. During a hearing on March 18, 2020, the Supreme Court ordered that all amounts that were due before the October 2019 Order must be paid, including interest, penalties and interest on the penalties. The Supreme Court also ordered that the parties appear for a further hearing addressing, potentially among other things, a proposal by the DOT to allow for extended or deferred payments of amounts due. On June 11, 2020, the Supreme Court ordered HCIPL and the other telecommunication service providers to submit affidavits addressing the proposal made by the DOT to extend the time frame for payment of the amounts owed and for HCIPL and the other telecommunication providers to provide security for such payments. On September 1, 2020, the Supreme Court issued a judgment permitting a 10-year payment schedule. Under this payment schedule, HCIPL is required to make an annual payment every March 31, through 2031. Following the Supreme Court of India's October 2019 judgment, HCIPL made payments during the first quarter of 2020, and additional payments on each March 31 thereafter.

The following table presents the components of the accrual:

	As of	
	March 31, 2023	December 31, 2022
Additional license fees	$ 3,453	$ 3,425
Penalties	3,544	3,516
Interest and interest on penalties	80,236	78,327
Less: Payments	(28,200)	(17,785)
Total accrual	59,033	67,483
Less: Current portion	10,273	10,191
Total long-term accrual	$ 48,760	$ 57,292

Any eventual payments made with respect to the ultimate outcome of this matter may be different from our accrual and such differences could be significant.

Other

In addition to the above actions, we are subject to various other legal proceedings and claims, which arise in the ordinary course of business. As part of our ongoing operations, we are subject to various inspections, audits, inquiries, investigations and similar actions by third parties, as well as by governmental/regulatory authorities responsible for enforcing the laws and regulations to which we may be subject. Further, under the federal False Claims Act, private parties have the right to bring qui tam, or “whistleblower,” suits against companies that submit false claims for payments to, or improperly retain overpayments from, the federal government. Some states have adopted similar state whistleblower and false claims provisions. In addition, we from time to time receive inquiries from federal, state and foreign agencies regarding compliance with various laws and regulations.

In our opinion, the amount of ultimate liability with respect to any of these other actions is unlikely to materially affect our financial position, results of operations or cash flows, though the resolutions and outcomes, individually or in the aggregate, could be material to our financial position, operating results or cash flows for any particular period, depending, in part, upon the operating results for such period.

We also indemnify our directors, officers and employees for certain liabilities that might arise from the performance of their responsibilities for us. Additionally, in the normal course of its business, we enter into contracts pursuant to which we may make a variety of representations and warranties and indemnify the counterparty for certain losses. Our possible exposure under these arrangements cannot be reasonably estimated as this involves the resolution of claims made, or future claims that may be made, against us or our officers, directors or employees, the outcomes of which are unknown and not currently predictable or estimable.

NOTE 14. SEGMENT REPORTING

Business segments are components of an enterprise for which separate financial information is available and regularly evaluated by our chief operating decision maker (“CODM”), who is our Chief Executive Officer. We operate in two business segments, Hughes segment and ESS segment.

The primary measure of segment profitability that is reported regularly to our CODM is earnings before interest, taxes, depreciation and amortization, and net income (loss) attributable to non-controlling interests (“EBITDA”).

Total assets by segment have not been reported herein because the information is not provided to our CODM on a regular basis.

The following table presents total revenue, capital expenditures and EBITDA for each of our business segments:

	Hughes	ESS	Corporate and Other	Consolidated Total
For the three months ended March 31, 2023				
External revenue	$ 431,195	$ 5,489	$ 2,913	$ 439,597
Intersegment revenue	—	508	(508)	—
Total revenue	$ 431,195	$ 5,997	$ 2,405	$ 439,597
Capital expenditures	$ 47,025	$ —	$ (2,954)	$ 44,071
EBITDA	$ 157,234	$ 4,655	$ (33,840)	$ 128,049
For the three months ended March 31, 2022				
External revenue	$ 494,106	$ 4,276	$ 3,152	$ 501,534
Intersegment revenue	—	198	(198)	—
Total revenue	$ 494,106	$ 4,474	$ 2,954	$ 501,534
Capital expenditures	$ 61,021	$ —	$ 51,117	$ 112,138
EBITDA	$ 191,170	$ 2,691	$ 59,341	$ 253,202

Capital expenditures are net of refunds and other receipts related to property and equipment.

The following table reconciles *Income (loss) before income taxes* in the Consolidated Statements of Operations to EBITDA:

	For the three months ended March 31,	
	2023	2022
Income (loss) before income taxes	$ 39,280	$ 121,727
Interest income, net	(28,596)	(6,422)
Interest expense, net of amounts capitalized	13,286	14,973
Depreciation and amortization	102,858	120,436
Net loss (income) attributable to non-controlling interests	1,221	2,488
EBITDA	$ 128,049	$ 253,202

NOTE 15. SUPPLEMENTAL FINANCIAL INFORMATION

Other Current Assets, Net and Other Non-current Assets, Net

The following table presents the components of *Other current assets, net and Other non-current assets, net*:

	As of	
	March 31, 2023	December 31, 2022
Other current assets, net:		
Inventory	$ 137,634	$ 123,606
Prepaids and deposits	68,076	61,877
Trade accounts receivable - DISH Network	8,183	3,492
Other, net	38,703	21,471
Total other current assets	$ 252,596	$ 210,446
Other non-current assets, net:		
Capitalized software, net	$ 116,545	$ 116,841
Contract acquisition costs, net	60,234	64,447
Other receivables - DISH Network	75,865	74,923
Restricted marketable investment securities	11,800	11,056
Deferred tax assets, net	8,271	8,011
Restricted cash	1,284	1,342
Contract fulfillment costs, net	1,957	1,931
Other, net	40,004	38,511
Total other non-current assets, net	$ 315,960	$ 317,062

Inventory

The following table presents the components of inventory:

	As of	
	March 31, 2023	December 31, 2022
Raw materials	$ 35,932	$ 32,920
Work-in-process	20,036	16,408
Finished goods	81,666	74,278
Total inventory	$ 137,634	$ 123,606

Accrued Expenses and Other Current Liabilities and Other Non-Current Liabilities

The following table presents the components of *Accrued expenses and other current liabilities* and *Other non-current liabilities:*

	As of	
	March 31, 2023	December 31, 2022
Accrued expenses and other current liabilities:		
Accrued compensation	$ 48,726	$ 56,337
Operating lease obligation	17,757	17,854
Accrued interest	15,631	39,245
Accrued taxes	13,376	12,603
Accrual for license fee dispute	10,273	10,191
In-orbit incentive obligations	4,331	5,369
Trade accounts payable - DISH Network	555	669
Other	52,460	57,585
Total accrued expenses and other current liabilities	$ 163,109	$ 199,853
Other non-current liabilities:		
Accrual for license fee dispute	$ 48,760	$ 57,292
In-orbit incentive obligations	44,041	44,836
Contract liabilities	7,872	8,326
Other	11,861	9,333
Total other non-current liabilities	$ 112,534	$ 119,787

Supplemental and Non-cash Investing and Financing Activities

The following table presents the supplemental and non-cash investing and financing activities:

	For the three months ended March 31,	
	2023	2022
Supplemental disclosure of cash flow information:		
Cash paid for interest, net of amounts capitalized	$ 40,465	$ 34,918
Cash paid for income taxes	$ —	$ 806
Non-cash investing and financing activities:		
Employee benefits paid in Class A common stock	$ 5,421	$ 7,041
Increase (decrease) in capital expenditures included in accounts payable, net	$ (1,078)	$ (6,961)
Non-cash net assets received as part of the India JV formation	$ —	$ 36,701

ITEM 2. MANAGEMENT'S DISCUSSION AND ANALYSIS OF FINANCIAL CONDITION AND RESULTS OF OPERATIONS

Unless the context indicates otherwise, the terms "we," "us," "EchoStar," the "Company" and "our" refer to EchoStar Corporation and its subsidiaries. The following Management's Discussion and Analysis of our Financial Condition and Results of Operations ("Management's Discussion and Analysis") should be read in conjunction with our accompanying Consolidated Financial Statements and notes thereto ("Consolidated Financial Statements") in Item 1 of this Quarterly Report on Form 10-Q ("Form 10-Q"). This Management's Discussion and Analysis is intended to help provide an understanding of our financial condition, changes in our financial condition and our results of operations. Many of the statements in this Management's Discussion and Analysis are forward-looking statements that involve assumptions and are subject to risks and uncertainties that are often difficult to predict and beyond our control. Actual results could differ materially from those expressed or implied by such forward-looking statements. Refer to the Disclosure Regarding Forward-Looking Statements in this Form 10-Q for further discussion. For a discussion of additional risks, uncertainties and other factors that could impact our results of operations or financial condition, refer to the Risk Factors in Part II, Item 1A of this Form 10-Q and in Part I, Item 1A of our most recent Annual Report on Form 10-K ("Form 10-K") filed with the Securities and Exchange Commission ("SEC"). Further, such forward-looking statements speak only as of the date of this Form 10-Q and we undertake no obligation to update them.

EXECUTIVE SUMMARY

Overview

We currently operate in two business segments: our Hughes segment and our EchoStar Satellite Services segment ("ESS segment"). Our operations include various corporate functions that have not been assigned to our business segments. These activities, costs and income, as well as eliminations of intersegment transactions, are accounted for in our Corporate and Other segment in our segment reporting.

All amounts presented in this Management's Discussion and Analysis are expressed in thousands of U.S. dollars, except share and per share amounts and unless otherwise noted.

Hughes Segment

Our Hughes segment is an industry leader in both networking technologies and services, innovating to deliver the global solutions that power a connected future for people, enterprises and things everywhere. We offer broadband satellite technologies and broadband internet products and services to consumer customers. We offer broadband network technologies, managed services, equipment, hardware, satellite services and communications solutions to government and enterprise customers.

Our Hughes segment continues to focus its efforts on optimizing financial returns of our existing satellites while planning for new satellite capacity to be launched, leased or acquired. Our consumer revenue growth depends on our success in adding new and retaining existing subscribers, as well as increasing our Average Revenue Per User/subscriber ("ARPU"). Service and acquisition costs related to ongoing support for our direct and indirect customers and partners are typically impacted most significantly by our growth. The growth of our enterprise and consumer businesses relies heavily on global economic conditions and the competitive landscape for pricing relative to competitors and alternative technologies. In most areas of the U.S. we are nearing or have reached capacity, which has resulted in our consumer subscriber base becoming increasingly limited. Our Latin America consumer subscriber base in certain areas has also become capacity constrained. These constraints are expected to be addressed by the launch of the EchoStar XXIV satellite.

To date, we have not experienced a material adverse impact from the Russia-Ukraine conflict and the associated sanctions.

On January 4, 2022, our India JV was formed, which allows us to offer flexible and scalable enterprise networking solutions using satellite connectivity for primary transport, back-up and hybrid implementation in India.

The EchoStar XXIV satellite is currently expected to be shipped to the launch site in June and subsequently launched at the first window that Space Exploration Technologies Corp. ("SpaceX") can allocate to it, which is subject to preemption by certain higher-priority government launches. The EchoStar XXIV satellite is primarily intended to provide additional capacity for our HughesNet service in North, Central and South America as well as enterprise broadband services. Following delays of over two years, in November 2022 we negotiated an amendment to our contract with the manufacturer to provide for additional compensation for past delays and a realignment of remedies. Delay in the availability of the EchoStar XXIV satellite could have a material adverse impact on our business operations, future revenues, financial position and prospects, and our planned expansion of satellite broadband services throughout North, South and Central America. Capital expenditures associated with the construction and launch of the EchoStar XXIV satellite are included in our Corporate and Other segment in our segment reporting.

Our broadband subscribers include customers that subscribe to our HughesNet services in the U.S. and Latin America through retail, wholesale and small/medium enterprise service channels.

The following table presents our approximate number of broadband subscribers:

	As of	
	March 31, 2023	**December 31, 2022**
United States	890,000	931,000
Latin America	287,000	297,000
Total broadband subscribers	1,177,000	1,228,000

The following table presents the approximate number of net subscriber additions:

	For the Three Months Ended	
	March 31, 2023	**December 31, 2022**
United States	(41,000)	(43,000)
Latin America	(10,000)	(14,000)
Total net subscriber additions	(51,000)	(57,000)

Our ability to gain new customers and retain existing customers in the U.S. is being impacted by our capacity limitations, competitive pressure from satellite-based competitors and other technologies, and increased bandwidth usage on average by our existing customers. For the three months ended March 31, 2023, these factors resulted in lower total subscribers as compared to the three months ended December 31, 2022.

Our ability to gain new customers and retain existing customers in Latin America were tempered by our focus on more profitable consumer segments and our allocation of capacity to enterprise opportunities. In addition, capacity constraints in certain areas limit our ability to add new subscribers. For the three months ended March 31, 2023, the decline in net subscribers was primarily due to more selective customer screening as compared to the three months ended December 31, 2022.

We continued to execute our strategy of maximizing financial returns by utilizing capacity for higher economic value enterprise and government applications in Latin America. Continued success of this strategy will further reduce the available capacity for consumer subscribers.

As of March 31, 2023, our Hughes segment had $1.6 billion of contracted revenue backlog, an increase of 6.7% as compared to December 31, 2022, primarily due to increases in contracts from our domestic customers. We define Hughes segment contracted revenue backlog as our expected future revenue under enterprise customer contracts that are non-cancelable, including lease revenue.

ESS Segment

Our ESS segment provides satellite services on a full-time and/or occasional-use basis to U.S. government service providers, internet service providers, broadcast news organizations, content providers and private enterprise customers. We operate our ESS business using primarily the EchoStar IX satellite and the EchoStar 105/SES-11 satellite and related infrastructure. Revenue in our ESS segment depends largely on our ability to continuously make use of our available satellite capacity with existing customers and our ability to enter into commercial relationships with new customers. During the first quarter of 2023, we transitioned the EchoStar IX satellite into inclined operations to extend its usable life for our customers. With this inclined mode of operation, we are expecting to extend the life of the spacecraft into 2024.

As of March 31, 2023, our ESS segment had $18.2 million of contracted revenue backlog, a decrease of 18.4%, as compared to December 31, 2022, primarily due to the recognition of revenue of existing contracts. We define contracted revenue backlog for our ESS segment as contracted future satellite lease revenue.

Corporate and Other Segment

Satellite Anomalies and Impairments

During the first quarter of 2023, we lost contact with our third nano-satellite (“EG-3”), which was launched in the second quarter of 2021 and brought into use our Sirion-1 ITU filing in the third quarter of 2021. As of the end of the first quarter of 2023, we have discontinued attempts to reestablish contact with EG-3, and have notified the ITU to suspend the filing. Consequently, we canceled our contract with Tyvak Nano-Satellites Systems, Inc., who manufactured and operated our nano-satellites, and recorded an impairment charge of $3.1 million related to EG-3 and other related assets in the first quarter of 2023 in our Corporate and Other segment. We have three years from the date the filing was suspended to place a new S-band spacecraft at the altitude prescribed in our Australian ITU filing. We expect the first group of S-band satellites recently ordered from Astro Digital to be launched well in advance of the three-year replacement timeline. We are not aware of any other anomalies with respect to our owned or leased satellites as of the date of these Consolidated Financial Statements. There can be no assurance, however, that anomalies will not have a significant adverse effect in the future. In addition, there can be no assurance that we can recover critical transmission capacity in the event one or more of our satellites were to fail.

Cybersecurity

We are not aware of any cyber-incidents with respect to our owned or leased satellites or other networks, equipment or systems that have had a material adverse effect on our business, costs, operations, prospects, results of operation or financial position during the three months ended March 31, 2023 and through May 8, 2023. There can be no assurance, however, that any such incident can be detected or thwarted or will not have such a material adverse effect in the future.

EXPLANATION OF KEY METRICS AND OTHER ITEMS

Services and other revenue. Services and other revenue primarily includes the sales of consumer and enterprise broadband services, maintenance and other contracted services, revenue associated with satellite and transponder leases and services, satellite uplinking/downlinking, subscriber wholesale service fees for the HughesNet service, professional services and facilities rental revenue.

Equipment revenue. Equipment revenue primarily includes broadband equipment and networks sold to customers in our consumer and enterprise markets.

Cost of sales - services and other. Cost of sales - services and other primarily includes the cost of broadband services provided to our consumer and enterprise customers, maintenance and other contracted services, costs associated with satellite and transponder leases and services, professional services and facilities rental.

Cost of sales - equipment. Cost of sales - equipment consists primarily of the cost of broadband equipment and networks provided to customers in our consumer and enterprise markets. It also includes certain other costs associated with the deployment of equipment to our customers.

Selling, general and administrative expenses. Selling, general and administrative expenses primarily include selling and marketing costs and employee-related costs associated with administrative services (e.g., information systems, human resources and other services), including bad debt expense and stock-based compensation expense. It also includes professional fees (e.g. legal, information systems and accounting services) and other expenses associated with facilities and administrative services.

Research and development expenses. Research and development expenses primarily include costs associated with the design and development of products to support future growth and provide new technology and innovation to our customers.

Impairment of long-lived assets. Impairment of long-lived assets includes our impairment losses related to our property and equipment, goodwill, regulatory authorizations and other intangible assets.

Interest income, net. Interest income, net primarily includes interest earned on our cash, cash equivalents and marketable investment securities, and other investments including premium amortization, discount accretion on debt securities and changes in allowance for estimated credit losses on investments.

Interest expense, net of amounts capitalized. Interest expense, net of amounts capitalized primarily includes interest expense associated with our debt and finance lease obligations (net of capitalized interest), amortization of debt issuance costs and interest expense related to certain legal proceedings.

Gains (losses) on investments, net. Gains (losses) on investments, net primarily includes changes in fair value of our marketable equity securities and other investments for which we have elected the fair value option. It may also include realized gains and losses on the sale or exchange of our available-for-sale debt securities, other-than-temporary impairment losses on our available-for-sale securities, realized gains and losses on the sale or exchange of equity securities and debt securities without readily determinable fair value and adjustments to the carrying amount of investments in unconsolidated affiliates and marketable equity securities resulting from impairments and observable price changes.

Equity in earnings (losses) of unconsolidated affiliates, net. Equity in earnings (losses) of unconsolidated affiliates, net includes earnings or losses from our investments accounted for using the equity method.

Foreign currency transaction gains (losses), net. Foreign currency transaction gains (losses), net include gains and losses resulting from the re-measurement of transactions denominated in foreign currencies.

Other, net. Other, net primarily includes dividends received from our marketable investment securities and other non-operating income and expense items that are not appropriately classified elsewhere in the Consolidated Statements of Operations in our Consolidated Financial Statements.

Earnings before interest, taxes, depreciation and amortization (“EBITDA”). EBITDA is defined as Net income (loss) excluding Interest income and expense, net, Income tax benefit (provision), net, Depreciation and amortization, and Net income (loss) attributable to non-controlling interests. EBITDA is not a measure determined in accordance with U.S. generally accepted accounting principles (“GAAP”). This non-GAAP measure is reconciled to Net income (loss) in our discussion of Results of Operations section below. EBITDA should not be considered in isolation or as a substitute for operating income, net income or any other measure determined in accordance with GAAP. EBITDA is used by our management as a measure of operating efficiency and overall financial performance for benchmarking against our peers and competitors. Management believes EBITDA provides meaningful supplemental information regarding the underlying operating performance of our business and is appropriate to enhance an overall understanding of our financial performance. Management also believes that EBITDA is useful to investors because it is frequently used by securities analysts, investors and other interested parties to evaluate the performance of companies in our industry.

Subscribers. Subscribers include customers that subscribe to our HughesNet service, through retail, wholesale and small/medium enterprise service channels.

Highlights from our Financial Results

Consolidated Results of Operations for the Three Months Ended March 31, 2023:

- Revenue of $439.6 million
- Operating income of $28.2 million
- Net income of $27.8 million
- Net income attributable to EchoStar common stock of $29.0 million and basic and diluted earnings per share of common stock of $0.35
- EBITDA of $128.0 million (see reconciliation of this non-GAAP measure in Results of Operations)

Consolidated Financial Condition as of March 31, 2023:

- Total assets of $6.2 billion
- Total liabilities of $2.6 billion
- Total stockholders’ equity of $3.6 billion
- Cash and cash equivalents and marketable investment securities of $1.7 billion

Table of Contents

RESULTS OF OPERATIONS

Three Months Ended March 31, 2023 Compared to the Three Months Ended March 31, 2022

The following table presents our consolidated results of operations for the three months ended March 31, 2023 compared to the three months ended March 31, 2022:

Statements of Operations Data [1]	For the three months ended March 31, 2023	2022	Variance Amount	%
Revenue:				
Services and other revenue	$ 377,527	$ 418,811	$ (41,284)	(9.9)
Equipment revenue	62,070	82,723	(20,653)	(25.0)
Total revenue	439,597	501,534	(61,937)	(12.3)
Costs and expenses:				
Cost of sales - services and other	135,372	141,129	(5,757)	(4.1)
% of total services and other revenue	**35.9 %**	**33.7 %**		
Cost of sales - equipment	51,662	69,114	(17,452)	(25.3)
% of total equipment revenue	**83.2 %**	**83.5 %**		
Selling, general and administrative expenses	110,061	118,170	(8,109)	(6.9)
% of total revenue	**25.0 %**	**23.6 %**		
Research and development expenses	8,255	7,617	638	8.4
% of total revenue	**1.9 %**	**1.5 %**		
Depreciation and amortization	102,858	120,436	(17,578)	(14.6)
Impairment of long-lived assets	3,142	—	3,142	*
Total costs and expenses	411,350	456,466	(45,116)	(9.9)
Operating income (loss)	28,247	45,068	(16,821)	(37.3)
Other income (expense):				
Interest income, net	28,596	6,422	22,174	*
Interest expense, net of amounts capitalized	(13,286)	(14,973)	1,687	(11.3)
Gains (losses) on investments, net	(7,109)	80,686	(87,795)	(108.8)
Equity in earnings (losses) of unconsolidated affiliates, net	(551)	(1,714)	1,163	(67.9)
Foreign currency transaction gains (losses), net	3,313	6,394	(3,081)	(48.2)
Other, net	70	(156)	226	(144.9)
Total other income (expense), net	11,033	76,659	(65,626)	(85.6)
Income (loss) before income taxes	39,280	121,727	(82,447)	(67.7)
Income tax benefit (provision), net	(11,460)	(32,782)	21,322	(65.0)
Net income (loss)	27,820	88,945	(61,125)	(68.7)
Less: Net loss (income) attributable to non-controlling interests	1,221	2,488	(1,267)	(50.9)
Net income (loss) attributable to EchoStar Corporation common stock	$ 29,041	$ 91,433	$ (62,392)	(68.2)
Other data:				
EBITDA [2]	$ 128,049	$ 253,202	$ (125,153)	(49.4)
Subscribers, end of period	1,177,000	1,406,000	(229,000)	(16.3)

* Percentage is not meaningful

(1) An explanation of our key metrics is included in Explanation of Key Metrics and Other Items.

(2) A reconciliation of EBITDA to Net income (loss), the most directly comparable GAAP measure in our Consolidated Financial Statements, is included in Results of Operations. For further information on our use of EBITDA, see Explanation of Key Metrics and Other Items.

The following discussion relates to our results of operations for the three months ended March 31, 2023 compared to the three months ended March 31, 2022:

Services and other revenue. Services and other revenue totaled $377.5 million for the three months ended March 31, 2023, a decrease of $41.3 million, or 9.9%, as compared to 2022. The decrease was primarily attributable to our Hughes segment related to lower sales of broadband services to our consumer customers of $41.0 million, and lower sales of broadband services to our enterprise customers of $2.2 million, partially offset by increased sales of broadband services to our mobile satellite system and other customers of $1.0 million. Our ESS segment increased by $1.5 million. These variances reflect an estimated negative impact of exchange rate fluctuations of $1.7 million, primarily attributable to our enterprise customers.

Equipment revenue. Equipment revenue totaled $62.1 million for the three months ended March 31, 2023, a decrease of $20.7 million, or 25.0%, as compared to 2022. The decrease was primarily attributable to: i) decreases in hardware sales to our enterprise customers of $19.1 million mainly associated with a certain customer in North America and to international customers, and ii) decreases in hardware sales of $2.2 million to our consumer customers. These decreases were partially offset by increases on our hardware sales to our mobile satellite system customers of $0.6 million.

Cost of sales - services and other. Cost of sales - services and other totaled $135.4 million for the three months ended March 31, 2023, a decrease of $5.8 million, or 4.1%, as compared to 2022. The decrease was primarily attributable to lower sales of broadband services and corresponding decreases in cost of services provided to our consumer and enterprise customers of $4.8 million, mainly related to service delivery expenses, such as field services and customer care.

Cost of sales - equipment. Cost of sales - equipment totaled $51.7 million for the three months ended March 31, 2023, a decrease of $17.5 million, or 25.3%, as compared to 2022. The decrease was primarily attributable to the corresponding decrease in equipment revenue.

Selling, general and administrative expenses. Selling, general and administrative expenses totaled $110.1 million for the three months ended March 31, 2023, a decrease of $8.1 million, or 6.9%, as compared to 2022. The decrease was primarily attributable to decreases in sales and marketing expenses of $9.8 million offset by increases in bad debt expense of $1.1 million.

Depreciation and amortization. Depreciation and amortization expenses totaled $102.9 million for the three months ended March 31, 2023, a decrease of $17.6 million, or 14.6%, as compared to 2022. The decrease was primarily attributable to: i) decreases in other property and equipment depreciation expense of $14.6 million, ii) decreases in amortization of our capitalized software of $1.6 million, and iii) decreases in our satellite depreciation of $1.0 million.

Impairment of long-lived assets. Impairment of long-lived assets totaled $3.1 million for the three months ended March 31, 2023. This impairment charge was related to our EG-3 nano-satellite and other related assets abandoned during the first quarter of 2023 due to lost contact with EG-3.

Interest income, net. Interest income, net totaled $28.6 million for the three months ended March 31, 2023, an increase of $22.2 million as compared to 2022, primarily attributable to increases in the yield on our marketable investment securities.

Interest expense, net of amounts capitalized. Interest expense, net of amounts capitalized, totaled $13.3 million for the three months ended March 31, 2023, a decrease of $1.7 million, or 11.3%, as compared to 2022. The decrease was primarily attributable to an increase of $1.4 million in capitalized interest relating to the EchoStar XXIV satellite program.

Gains (losses) on investments, net. Gains (losses) on investments, net totaled $7.1 million in losses for the three months ended March 31, 2023, as compared to $80.7 million in gains for the three months ended March 31, 2022, a negative change of $87.8 million. The change was related to net decreased gains on marketable investment securities and other equity securities.

Foreign currency transaction gains (losses), net. Foreign currency transaction gains (losses), net totaled $3.3 million in gains for the three months ended March 31, 2023, as compared to $6.4 million in gains for the three months ended March 31, 2022, a negative change of $3.1 million. The change was due to the net impact of foreign exchange rate fluctuations of certain foreign currencies during the period, primarily related to the Mexican, Chilean and Colombian Pesos.

Income tax benefit (provision), net. Income tax benefit (provision), net was $(11.5) million for the three months ended March 31, 2023, as compared to $(32.8) million for the three months ended March 31, 2022. Our effective income tax rate was 29.2% and 26.9% for the three months ended March 31, 2023 and 2022, respectively. The variations in our effective tax rate from the U.S. federal statutory rate for the three months ended March 31, 2023 were primarily due to excluded foreign losses where the Company carries a full valuation allowance, and the research tax credit. The variations in our current year effective tax rate from the U.S. federal statutory rate for the three months ended March 31, 2022 were primarily due to excluded foreign losses where the Company carries a full valuation allowance, and the impact of state and local taxes.

Net income (loss) attributable to EchoStar Corporation common stock. The following table reconciles the change in Net income (loss) attributable to EchoStar Corporation common stock:

	Amounts
Net income (loss) attributable to EchoStar Corporation for the three months ended March 31, 2022	$ 91,433
Increase (decrease) in interest income, net	22,174
Decrease (increase) in income tax benefit (provision), net	21,322
Decrease (increase) in interest expense, net of amounts capitalized	1,687
Decrease (increase) in equity in earnings (losses) of unconsolidated affiliates, net	1,163
Increase (decrease) in other, net	226
Increase (decrease) in net income (loss) attributable to non-controlling interest	(1,267)
Increase (decrease) in foreign currency transaction gains (losses), net	(3,081)
Increase (decrease) in operating income (loss), including depreciation and amortization	(16,821)
Increase (decrease) in gains (losses) on investments, net	(87,795)
Net income (loss) attributable to EchoStar Corporation for the three months ended March 31, 2023	$ 29,041

EBITDA. EBITDA is a non-GAAP financial measure and is described under Explanation of Key Metrics and Other Items section. The following table reconciles EBITDA to Net income (loss), the most directly comparable GAAP measure in our Consolidated Financial Statements:

	For the three months ended March 31,		Variance	
	2023	2022	Amount	%
Net income (loss)	$ 27,820	$ 88,945	$ (61,125)	(68.7)
Interest income, net	(28,596)	(6,422)	(22,174)	*
Interest expense, net of amounts capitalized	13,286	14,973	(1,687)	(11.3)
Income tax provision (benefit), net	11,460	32,782	(21,322)	(65.0)
Depreciation and amortization	102,858	120,436	(17,578)	(14.6)
Net loss (income) attributable to non-controlling interests	1,221	2,488	(1,267)	(50.9)
EBITDA	$ 128,049	$ 253,202	$ (125,153)	(49.4)

* Percentage is not meaningful

The following table reconciles the change in EBITDA:

	Amounts
EBITDA for the three months ended March 31, 2022	$ 253,202
Decrease (increase) in equity in earnings (losses) of unconsolidated affiliates, net	1,163
Increase (decrease) in other, net	226
Decrease (increase) in net loss (income) attributable to non-controlling interests	(1,267)
Increase (decrease) in foreign currency transaction gains (losses), net	(3,081)
Increase (decrease) in operating income (loss), excluding depreciation and amortization	(34,399)
Increase (decrease) in gains (losses) on investments, net	(87,795)
EBITDA for the three months ended March 31, 2023	$ 128,049

Segment Operating Results and Capital Expenditures

The following tables present our total revenue, capital expenditures and EBITDA by segment for the three months ended March 31, 2023, as compared to the three months ended March 31, 2022:

	Hughes	ESS	Corporate and Other	Consolidated Total
For the year ended March 31, 2023				
Total revenue	$ 431,195	$ 5,997	$ 2,405	$ 439,597
Capital expenditures	47,025	—	(2,954)	44,071
EBITDA	157,234	4,655	(33,840)	128,049
For the year ended March 31, 2022				
Total revenue	$ 494,106	$ 4,474	$ 2,954	$ 501,534
Capital expenditures	61,021	—	51,117	112,138
EBITDA	191,170	2,691	59,341	253,202

Capital expenditures are net of refunds and other receipts related to property and equipment.

Hughes Segment

	For the three months ended March 31,		Variance	
	2023	2022	Amount	%
Total revenue	$ 431,195	$ 494,106	$ (62,911)	(12.7)
Capital expenditures	47,025	61,021	(13,996)	(22.9)
EBITDA	157,234	191,170	(33,936)	(17.8)

Total revenue was $431.2 million for the three months ended March 31, 2023, a decrease of $62.9 million, or 12.7%, as compared to 2022. Services and other revenue decreased primarily due to lower sales of broadband services to our consumer customers of $41.0 million, and lower sales of broadband services to our enterprise customers of $2.2 million, partially offset by increased sales of broadband services to our mobile satellite system and other customers of $1.0 million. Equipment revenue decreased primarily due to: i) decreases in hardware sales to our enterprise customers of $19.1 million mainly associated with a certain customer in North America and to international customers, and ii) decreases in hardware sales of $2.2 million to our consumer customers. These decreases were partially offset by increases on our hardware sales to our mobile satellite system customers of $0.6 million. These variances reflect an estimated negative impact of exchange rate fluctuations of $2.2 million, primarily attributable to our enterprise customers.

Capital expenditures were $47.0 million for the three months ended March 31, 2023, a decrease of $14.0 million, or 22.9%, as compared to 2022, primarily due to decreases in expenditures associated with our consumer business, and decreases in expenditures related to the construction of our satellite-related ground infrastructure.

The following table reconciles the change in the Hughes Segment EBITDA:

		Amounts
EBITDA for the three months ended March 31, 2022	$	191,170
Decrease (increase) in equity in earnings (losses) of unconsolidated affiliates, net		792
Increase (decrease) in other, net		217
Decrease (increase) in net loss (income) attributable to non-controlling interests		(1,267)
Increase (decrease) in foreign currency transaction gains (losses), net		(3,581)
Increase (decrease) in operating income (loss), excluding depreciation and amortization		(30,097)
EBITDA for the three months ended March 31, 2023	$	157,234

ESS Segment

	For the three months ended March 31,		Variance	
	2023	2022	Amount	%
Total revenue	$ 5,997	$ 4,474	$ 1,523	34.0
EBITDA	4,655	2,691	1,964	73.0

Total revenue was $6.0 million for the three months ended March 31, 2023, an increase of $1.5 million, or 34.0%, compared to 2022, primarily due to an increase in transponder services provided to third parties.

EBITDA was $4.7 million for the three months ended March 31, 2023, an increase of $2.0 million, or 73.0%, as compared to 2022, primarily due to the increase in overall ESS segment revenue and lower expenses.

Corporate and Other Segment

	For the three months ended March 31,		Variance	
	2023	2022	Amount	%
Total revenue	$ 2,405	$ 2,954	$ (549)	(18.6)
Capital expenditures	(2,954)	51,117	(54,071)	(105.8)
EBITDA	(33,840)	59,341	(93,181)	(157.0)

Total revenue was $2.4 million for the three months ended March 31, 2023, which is primarily flat compared to 2022.

Capital expenditures are net of refunds and other receipts related to property and equipment were $(3.0) million for the three months ended March 31, 2023, a decrease of $54.1 million, as compared to 2022, primarily due to decreases in expenditures, as well as refunds and other receipts, related to the EchoStar XXIV satellite program.

Table of Contents

The following table reconciles the change in the Corporate and Other Segment EBITDA:

		Amounts
EBITDA for the three months ended March 31, 2022	$	59,341
Increase (decrease) in foreign currency transaction gains (losses), net		499
Decrease (increase) in equity in earnings (losses) of unconsolidated affiliates, net		371
Increase (decrease) in other, net		10
Increase (decrease) in operating income (loss), excluding depreciation and amortization		(6,266)
Increase (decrease) in gains (losses) on investments, net		(87,795)
EBITDA for the three months ended March 31, 2023	$	(33,840)

LIQUIDITY AND CAPITAL RESOURCES

Cash, Cash Equivalents and Marketable Investment Securities

We consider all liquid investments purchased with an original maturity of 90 days or less to be cash equivalents.

As of March 31, 2023 our cash, cash equivalents and marketable investment securities totaled $1.7 billion, $0.8 billion of which we held as marketable investment securities, consisting of various debt and equity instruments including corporate bonds, corporate equity securities, government bonds and mutual funds.

Cash Flow Activities

The following table summarizes our cash flows provided by (used for) operating, investing and financing activities, as reflected in the Consolidated Statement of Cash Flows:

	For the three months ended March 31,		
	2023	2022	Variance
Operating activities	$ 46,425	$ 104,353	$ (57,928)
Investing activities	168,158	279,111	(110,953)
Financing activities	(736)	(32,469)	31,733
Effect of exchange rates on cash and cash equivalents	1,659	3,480	(1,821)
Net increase (decrease) in cash and cash equivalents	$ 215,506	$ 354,475	$ (138,969)

Cash flows provided by (used for) operating activities decreased by $57.9 million primarily attributable to changes in net income (loss) of $(61.1) million, changes in assets and liabilities, net of $(32.3) million, other, net, of $(21.6) million, deferred tax provision (benefit), net of $(19.0) million, depreciation and amortization of $(17.6) million, losses (gains) on investments, net of $87.8 million.

Cash flows provided by (used for) investing activities decreased by $111.0 million primarily attributable to our marketable investment securities net activity of $(185.0) million, an increase in expenditures in externally marketed software of $(1.9) million, partially offset by a decrease in expenditures for property and equipment of $68.1 million, and the India JV formation in 2022 for $7.9 million.

Cash flows provided by (used for) financing activities increased by $31.7 million primarily attributable to decreases in treasury share repurchases of $33.3 million.

Obligations and Future Capital Requirements

Off-Balance Sheet Arrangements

We generally do not engage in off-balance sheet financing activities or use derivative financial instruments for hedge accounting or speculative purposes.

Letters of Credit and Surety Bonds

The following table presents the components of our letters of credit and surety bonds as of March 31, 2023**:**

	Amounts
Letters of credit secured by restricted cash	$ 11,385
Surety bonds	16,700
Credit arrangement available to our foreign subsidiaries	27,920
Total letters of credit and surety bonds	$ 56,005

Certain letters of credit are secured by assets of our foreign subsidiaries.

Satellites

As our satellite fleet ages, we will evaluate whether and to what extent to utilize replacement alternatives such as acquiring, leasing or constructing additional satellites, with or without customer commitments for capacity. We may also construct, acquire or lease additional satellites or satellite capacity in the future to provide satellite services at additional orbital locations, to improve the quality of our satellite services or to provide new satellites services.

Satellite Insurance

We generally do not carry in-orbit insurance on our satellites or payloads because we have assessed that the cost of insurance is not economical relative to the risk of failures. Therefore, we generally bear the risk of any in-orbit failures. Pursuant to the terms of our joint venture agreement with Yahsat, we are required to maintain insurance for the Al Yah 3 Brazilian payload during the commercial in-orbit service of such payload, subject to certain limitations on coverage. We have obtained certain insurance for our EchoStar XXIV satellite covering launch plus the first year of operations. We will continue to assess circumstances going forward and make insurance-related decisions on a case-by-case basis.

Future Capital Requirements

We primarily rely on our existing cash and marketable investment securities balances, as well as cash flow generated through our operations, to fund our business. Revenue in our ESS segment depends largely on our ability to continuously make use of our available satellite capacity with existing customers and our ability to enter into commercial relationships with new customers. Consumer revenue in our Hughes segment depends on our success in adding new and retaining existing subscribers and driving higher ARPU. Revenue in our enterprise and equipment businesses relies heavily on global economic conditions and the competitive landscape for pricing relative to competitors and alternative technologies. There can be no assurance that we will have positive cash flows from operations. Furthermore, if we experience negative cash flows, our existing cash and marketable investment securities balances may be reduced.

We have a significant amount of outstanding indebtedness. As of March 31, 2023, our total indebtedness was $1.5 billion. Our liquidity requirements will continue to be significant, primarily due to our remaining debt service requirements. We may from time to time seek to purchase amounts of our outstanding debt in open market purchases, privately negotiated transactions or otherwise, depending on market conditions, our liquidity needs and other factors. The amounts we may repurchase may be material. In the future, we may require material capital expenditures to make significant acquisitions or investments in infrastructure, technologies or joint ventures to support and expand our business, or if we decide to purchase or build additional satellites or other technologies or assets. Other aspects of our business operations may also require additional capital. We also expect to owe U.S. federal income tax for 2023.

We anticipate that our existing cash and marketable investment securities are sufficient to fund the currently anticipated operations of our business through the next twelve months.

Stock Repurchases

On November 2, 2021, our Board of Directors authorized us to repurchase up to $500.0 million of our Class A common stock commencing January 1, 2022 through and including December 31, 2022. In addition, on October 20, 2022, our Board of Directors authorized us to repurchase up to $500.0 million of our Class A common stock commencing January 1, 2023 through and including December 31, 2023. Purchases under our repurchase authorizations may be made through privately negotiated transactions, open market repurchases, one or more trading plans in accordance with Rule 10b5-1 under the Securities Exchange Act of 1934, as amended, or otherwise, subject to market conditions and other factors. We may elect not to purchase the maximum amount or any of the shares allowable under these authorizations and we may also enter into additional share repurchase programs authorized by our Board of Directors. During the three months ended March 31, 2023, we repurchased zero shares of our Class A common stock under this program.

CRITICAL ACCOUNTING POLICIES

Our critical accounting policies are described in Note 2. *Summary of Significant Accounting Policies* in our Consolidated Financial Statements in our Form 10-K. There have been no significant changes in our critical accounting policies from those presented in our Form 10-K.

CRITICAL ACCOUNTING ESTIMATES

Our critical accounting estimates are described in our Form 10-K under the heading Part II - Item 7. Management's Discussion and Analysis of Financial Condition and Results of Operations. There have been no significant changes in our critical accounting estimates from those presented in our Form 10-K.

NEW ACCOUNTING PRONOUNCEMENTS

For a discussion of new accounting pronouncements, refer to Note 2. Summary of Significant Accounting Policies in our Consolidated Financial Statements.

SEASONALITY

For our Hughes segment, service revenue is generally not impacted by seasonal fluctuations other than those associated with fluctuations related to sales and promotional activities.

Our ESS segment is not generally affected by seasonal impacts.

We cannot predict with any certainty whether these trends will continue in the near future.

INFLATION AND SUPPLY CHAIN

Inflation has impacted our operations as we have continued to experience increased costs in certain functional areas including field services and customer care. We are unable to predict the extent or nature of any future inflationary pressure at this time. Our ability to increase the prices charged for our products and services in future periods depends primarily on competitive pressures, contractual terms, and inflationary pressures.

The worldwide interruptions and delays in the supply of components, materials and parts, although not materially impacting our operations during the three months ended March 31, 2023, may impact our ability to timely provide equipment deliveries in the future. These interruptions and delays could also increase the cost of our equipment which we may not be able to pass onto our customers.

ITEM 3. QUANTITATIVE AND QUALITATIVE DISCLOSURES ABOUT MARKET RISK

Refer to our Form 10-K, under the heading Part II - Item 7A. Quantitative and Qualitative Disclosures About Market Risk, for a more complete discussion of our risks. As of March 31, 2023, our market risk has not changed materially from those presented in our Form 10-K.

ITEM 4. CONTROLS AND PROCEDURES

Disclosure Controls and Procedures

Under the supervision and with the participation of our management, including our Chief Executive Officer and Chief Financial Officer, we evaluated the effectiveness of our disclosure controls and procedures (as defined in Rule 13a-15(e) and Rule 15d-15(e) under the Securities Exchange Act of 1934, as amended) as of the end of the period covered by this Form 10-Q. Based upon that evaluation, our Chief Executive Officer and Chief Financial Officer concluded that our disclosure controls and procedures were effective as of the end of the period covered by this Form 10-Q such that the information required to be disclosed in our Securities and Exchange Commission reports is recorded, processed, summarized and reported within the time periods specified in the Securities and Exchange Commission rules and forms, and is accumulated and communicated to our management, including our Chief Executive Officer and Chief Financial Officer, as appropriate, to allow timely decisions regarding required disclosure.

Changes in Internal Control Over Financial Reporting

There has been no change in our internal control over financial reporting (as defined in Rule 13a-15(f) and Rule 15d-15(f) under the Securities Exchange Act of 1934, as amended) that occurred during the three months ended March 31, 2023 that has materially affected, or is reasonably likely to materially affect, our internal control over financial reporting. We continue to review our internal control over financial reporting and may from time to time make changes aimed at enhancing its effectiveness and to ensure that our systems evolve with our business.

PART II — OTHER INFORMATION

ITEM 1. LEGAL PROCEEDINGS

For a discussion of legal proceedings, refer to Part I, Item 1. Financial Statements - *Note 13. Contingencies* - *Litigation* in this Form 10-Q.

ITEM 1A. RISK FACTORS

Item 1A, Risk Factors, of our Form 10-K for the year ended December 31, 2022 includes a detailed discussion of our risk factors.

ITEM 2. UNREGISTERED SALES OF EQUITY SECURITIES AND USE OF PROCEEDS

Purchases of Equity Securities by the Issuer and Affiliated Purchasers

Pursuant to a stock repurchase program approved by our board of directors, we are authorized to repurchase up to $500.0 million of our Class A common stock through December 31, 2023. During the three months ended March 31, 2023, we repurchased zero shares of our Class A common stock under this program.

ITEM 3. DEFAULTS UPON SENIOR SECURITIES

Not applicable.

ITEM 4. MINE SAFETY DISCLOSURES

Not applicable.

ITEM 5. OTHER INFORMATION

Financial Results

On May 8, 2023, we issued a press release (the “Press Release”) announcing our financial results for the quarter ended March 31, 2023. A copy of the Press Release is furnished herewith as Exhibit 99.1. The foregoing information, including the exhibit related thereto, is furnished in response to Item 2.02 of Form 8-K and shall not be deemed “filed” for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise, and shall not be incorporated by reference into any registration statement or other document pursuant to the Securities Act of 1933, as amended, or into any filing or other document pursuant to the Securities Exchange Act of 1934, as amended, except as otherwise expressly stated in any such filing

Table of Contents

ITEM 6. EXHIBITS

Exhibit No.	Description
10.1	Amendment No. 3 dated March 24, 2023 to the Contract between EchoStar XXIV L.L.C. and Maxar Space LLC for the Jupi 3 Satellite Program***
31.1(H)	Section 302 Certification of Chief Executive Officer and Principal Financial Officer
32.1(I)	Section 906 Certification of Chief Executive Officer and Principal Financial Officer
99.1(I)	Press release dated May 8, 2023 issued by EchoStar Corporation regarding financial results for the period ended March 3 2023.
101.INS	XBRL Instance Document. The instance document does not appear in the Interactive Data File because its XBRL tags a embedded within the Inline XBRL document.
101.SCH	XBRL Taxonomy Extension Schema.
101.CAL	XBRL Taxonomy Extension Calculation Linkbase.
101.DEF	XBRL Taxonomy Extension Definition Linkbase.
101.LAB	XBRL Taxonomy Extension Label Linkbase.
101.PRE	XBRL Taxonomy Extension Presentation Linkbase.

(H) Filed herewith.
(I) Furnished herewith.
* Incorporated by reference.
** Constitutes a management contract or compensatory plan or arrangement.
*** Certain portions of the exhibit have been omitted in accordance with the Securities and Exchange Commission's rules and regulations regarding confidential treatment.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this Form 10-Q to be signed on its behalf by the undersigned thereunto duly authorized.

ECHOSTAR CORPORATION

Date: May 8, 2023	By:	/s/ *Hamid Akhavan* Hamid Akhavan Chief Executive Officer and President *(Principal Executive Officer and Principal Financial Officer)*
Date: May 8, 2023	By:	/s/ *Veronika Takacs* Veronika Takacs Vice President, Chief Accounting Officer and Controller *(Principal Accounting Officer)*

Certain portions of this Exhibit have been omitted pursuant to Item 601(b)(10)(iv) of Regulation S-K.

Amendment No. 3
to the Contract between
EchoStar XXIV L.L.C. and Maxar Space LLC
for the Jupiter 3 Satellite Program

This Amendment No. 3 ("Amendment No. 3") to the Contract between EchoStar XXIV L.L.C. (hereinafter referred as "EchoStar" or the "Purchaser") and Maxar Space LLC (hereinafter referred as "Maxar" or the "Contractor"), dated April 19, 2017, and that certain Amendment No. 1 made as of October 1, 2018 and that certain Amendment No. 2 made as of November 16, 2022 (collectively referred to hereinafter as the "Contract") is made as of March 24, 2023 (the "Amendment No. 3 Effective Date") by and between EchoStar and Maxar (collectively, the "Parties"). Capitalized terms used but not defined in this Amendment No. 3 have the meanings given to them in the Contract.

WHEREAS, the Parties now desire to amend the Contract as further set forth below to, among other things, modify the location and nature of the Work to be performed;

NOW, THEREFORE, in consideration of the promises and mutual covenants and agreements contained in this Amendment No. 3, the Parties agree to amend the Contract as follows:

1. **Modified Work**. (a) After the successful deployment during post-dynamics testing of ****, Contractor shall conduct **** rather than at **** the integration and associated post-integration activities, ****. (b) Contractor shall perform **** of testing of the Data Handling Subsystem (in the manner set forth in clause (c) below) ****. (c) At the ****, Contractor shall perform the testing as set forth in Exhibit D associated with **** the Data Handling Subsystem ****. The items described in clauses (a) through (c) above shall be known as the "Modified **** Work".

2. **Satellite Pre-Shipment Review**. The Parties hereby agree that all SPSR-related reviews, requests for waivers and deviations, and Purchaser's concurrences and/or non-concurrences of such reviews associated with the Modified **** Work that would have occurred as part of SPSR had such Work **** prior to SPSR shall occur following SPSR at **** prior to the Satellite being Delivered. For clarity, the obligations set forth in Article 9 (Satellite Pre-Shipment Review), Section 3.8.1 of the SOW, Section 1.1.3.6 of Exhibit C, and Section 6.2 of Exhibit D are unmodified except for the **** of the occurrence of such portion of the SPSR reviews associated with the Modified **** Work. For further clarity, the SPSR Complete Date shall be the date on which Purchaser provides Contractor written notice of its concurrence with the results of the SPSR (including without limitation any waiver of its right to compel correction of those non-conformances to the requirements of Exhibit B, Satellite Performance Specification, specified by Purchaser in such notice) less the Modified **** Work and the portion of SPSR to occur at the ****, and the Satellite shall be deemed ready for shipment to ****. Notwithstanding the forgoing, SPSR shall not be considered complete until the completion of the SPSR-related reviews and Purchaser's concurrence of such reviews associated with the Modified **** Work.

3. **Delivery**. The second sentence of Article 11 of the Contract is hereby deleted in its entirety and replaced with the following:

   "In the case of the Satellite, Delivery of the Satellite shall occur following the completion of all of the following: ****."

4. ********. Section 14.2 of the Contract is hereby deleted in its entirety and replaced with the following:

   "****"

5. **Ground Storage**. If Purchaser directs Contractor to place the Satellite into storage following the completion of all portions of SPSR **** solely due to the unavailability of the Launch Vehicle and not for any reason caused by the Contractor, then such storage will be subject to the provisions of Article 32 (Ground Storage), including without limitation Section 32.7 ****. Any payments required to be made pursuant to Article 14.3 shall be tolled for the period the Satellite is in Ground Storage pursuant to this Section 5 of this Amendment No. 3.

6. **Replacement Satellites and Additional Satellites**. Notwithstanding anything to the contrary in this Amendment No. 3, the amendments to the Contract as set forth in this Amendment No. 3 shall only apply to the Satellite known as Jupiter 3/EchoStar XXIV and not a Replacement Satellite or Additional Satellite procured pursuant to Article 27 (Options) of the Contract.

7. **Exhibit D.** The Parties hereby agree that effective as of the Amendment No. 3 Effective Date, the Modified **** Work and any portion of the SPSR associated with the Modified **** Work will be considered part of the ****.

8. **Binding Effect; Conflicts**. Except as expressly amended by this Amendment No. 3, all terms, conditions, obligations and covenants of the Contract shall remain and continue in full force and effect, without any change whatsoever, and Contractor and Purchaser hereby ratify and confirm the Contract, as amended. In the event of a conflict between this Amendment No. 3 and the Contract, this Amendment No. 3 shall prevail. This Amendment No. 3 will be binding upon, and inure to the benefits of, the heirs, personal representatives, successors and assigns of the Parties.

9. **Counterparts**. This Amendment No. 3 may be executed in one or more counterparts, each of which, when executed, shall be deemed an original and all of which taken together will constitute one and the same instrument. Execution of this Amendment No. 3 by facsimile or electronically scanned documents shall be effective to create a binding agreement.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 3 by their duly authorized representatives as of the Amendment No. 3 Effective Date.

Maxar Space LLC

By: */ s /*

Name:

Title:

EchoStar XXIV L.L.C.

By: */ s /*

Name: Dean Manson

Title: Chief Legal Officer

EXHIBIT 31.1

CERTIFICATION OF CHIEF EXECUTIVE OFFICER AND PRINCIPAL FINANCIAL OFFICER
Section 302 Certification

I, Hamid Akhavan, certify that:

1. I have reviewed this Quarterly Report on Form 10-Q of EchoStar Corporation;

2. Based on my knowledge, this report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this report;

3. Based on my knowledge, the financial statements, and other financial information included in this report, fairly present in all material respects the financial condition, results of operations and cash flows of the registrant as of, and for, the periods presented in this report;

4. I am responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15d-15(f)) for the registrant and have:

    a) Designed such disclosure controls and procedures, or caused such disclosure controls and procedures to be designed under my supervision, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to me by others within those entities, particularly during the period in which this report is being prepared;

    b) Designed such internal control over financial reporting, or caused such internal control over financial reporting to be designed under my supervision, to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles;

    c) Evaluated the effectiveness of the registrant's disclosure controls and procedures and presented in this report my conclusions about the effectiveness of the disclosure controls and procedures, as of the end of the period covered by this report based on such evaluation; and

    d) Disclosed in this report any change in the registrant's internal control over financial reporting that occurred during the registrant's most recent fiscal quarter (the registrant's fourth fiscal quarter in the case of an annual report) that has materially affected, or is reasonably likely to materially affect, the registrant's internal control over financial reporting; and

5. I have disclosed, based on my most recent evaluation of internal control over financial reporting, to the registrant's auditors and the audit committee of the registrant's board of directors (or persons performing the equivalent functions):

    a) All significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the registrant's ability to record, process, summarize and report financial information; and

    b) Any fraud, whether or not material, that involves management or other employees who have a significant role in the registrant's internal control over financial reporting.

Date: May 8, 2023

By: *<u>/s/ Hamid Akhavan</u>*
Name: Hamid Akhavan
Title: Chief Executive Officer and President
(Principal Executive Officer and Principal Financial Officer)

EXHIBIT 32.1

CERTIFICATION OF CHIEF EXECUTIVE OFFICER AND PRINCIPAL FINANCIAL OFFICER
Section 906 Certifications

In connection with the quarterly report for the quarter ended March 31, 2023 on Form 10-Q (the “Report”), of EchoStar Corporation (the “Company”) as filed with the Securities and Exchange Commission on the date hereof, I, Hamid Akhavan, Chief Executive Officer and Principal Financial Officer of the Company, certify, pursuant to 18 U.S.C. Section 1350, as adopted pursuant to section 906 of the Sarbanes-Oxley Act of 2002, that to the best of my knowledge:

(i) the Report fully complies with the requirements of Section 13(a) or Section 15(d), as applicable, of the Securities Exchange Act of 1934; and

(ii) the information contained in the Report fairly presents, in all material respects, the financial condition and results of operations of the Company.

Date: May 8, 2023

By: *\/s/ Hamid Akhavan*
Name: Hamid Akhavan
Title: Chief Executive Officer and President
(Principal Executive Officer and Principal Financial Officer)

The foregoing certification is being furnished solely pursuant to 18 U.S.C. Section 1350 and is not being filed as part of the Annual Report or as a separate disclosure document.

A SIGNED ORIGINAL OF THIS WRITTEN STATEMENT REQUIRED BY SECTION 906 HAS BEEN PROVIDED TO THE COMPANY AND WILL BE RETAINED BY THE COMPANY AND FURNISHED TO THE SECURITIES AND EXCHANGE COMMISSION OR ITS STAFF UPON REQUEST.

EchoStar Announces Financial Results for the Three Months Ended March 31, 2023

Englewood, CO, May 8, 2023—EchoStar Corporation (Nasdaq: SATS) announced its financial results for the three months ended March 31, 2023.

Three Months Ended March 31, 2023 Financial Highlights:

- Consolidated revenue of $439.6 million.
- Net income of $27.8 million, consolidated net income attributable to EchoStar common stock of $29.0 million, and basic and diluted earnings per share of common stock of $0.35.
- Consolidated Adjusted EBITDA of $135.0 million (see discussion and the reconciliation of GAAP to this non-GAAP measure below).

"In the first quarter of 2023, the EchoStar team performed as planned, with a focus on optimizing our existing assets and market opportunities efficiently," said Hamid Akhavan, CEO and President of EchoStar. "The business continues to pursue new avenues of growth, laying the operational foundation to drive increased revenues once our upcoming EchoStar XXIV/JUPITER 3 satellite enters into service and taking tangible steps toward fulfilling our vision of a global 5G network in the S-band."

Three Months Ended March 31, 2023 - Additional Information:

- Consolidated revenue decreased 12.3% or $61.9 million year over year. The decrease was driven by lower service revenues of $41.3 million partially due to fewer broadband customers. Equipment sales decreased $20.7 million, primarily due to lower sales to both domestic and international enterprise customers.
- Net income decreased $61.1 million year over year. The decrease was due to lower operating income of $16.8 million and an unfavorable change in investments of $87.8 million due to $80.7 million of gains that occurred in 2022. These items were partially offset by a favorable change in interest income of $22.2 million and lower net income tax expense of $21.3 million.
- Adjusted EBITDA decreased 18.6% or $30.9 million year over year.
  - Hughes segment Adjusted EBITDA decreased $30.1 million year over year. The decrease was driven primarily by lower service and equipment revenue, partially offset by lower sales and marketing expense for our broadband consumer business.
  - ESS segment Adjusted EBITDA increased $2.0 million year over year primarily due to higher revenue.
  - Corporate and Other segment Adjusted EBITDA decreased $2.7 million year over year. The decrease was primarily due to higher corporate expenses, partially offset by higher earnings of unconsolidated affiliates, net, of $0.4 million.
- Hughes broadband subscribers totaled approximately 1,177,000, declining 51,000 from December 31, 2022. Our current capacity limitations, increasing bandwidth usage by approximately 15% year on year on average by our existing U.S subscribers, and competitive pressures are impacting our consumer subscriber levels. In Latin America, subscriber levels were tempered by our focus on more profitable consumer segments and by our allocation of capacity to enterprise opportunities.
- For the three months ended March 31, 2023, approximately 37% of Hughes segment revenue was attributable to our enterprise customers, increasing from 36% in the same period last year.
- Cash, cash equivalents and current marketable investment securities were $1.7 billion as of March 31, 2023.
- The JUPITER 3/EchoStar XXIV satellite is currently expected to be shipped to the launch site in June and subsequently launched at the first window that SpaceX can allocate to it, which is subject to preemption by certain higher-priority government launches.

Set forth below is a table highlighting certain of EchoStar's segment results for the three months ended March 31, 2023 and 2022 (amounts in thousands) (all US GAAP amounts reference results from operations):

	For the three months ended March 31,	
	2023	2022
Revenue		
Hughes	$ 431,195	$ 494,106
EchoStar Satellite Services	5,997	$ 4,474
Corporate and Other	2,405	$ 2,954
Total revenue	$ 439,597	$ 501,534
Net income (loss)	$ 27,820	$ 88,945
Adjusted EBITDA		
Hughes	$ 154,164	$ 184,287
EchoStar Satellite Services	4,655	$ 2,691
Corporate & Other	(23,832)	$ (21,089)
Total Adjusted EBITDA	$ 134,987	$ 165,889
Expenditures for property and equipment, net of refunds and other receipts	$ 44,071	$ 112,138

Reconciliation of GAAP to Non-GAAP Measurement (amounts in thousands):

	For the three months ended March 31, 2023	2022
Net income (loss)	$ 27,820	$ 88,945
Interest income, net	(28,596)	(6,422)
Interest expense, net of amounts capitalized	13,286	14,973
Income tax provision (benefit), net	11,460	32,782
Depreciation and amortization	102,858	120,436
Net loss (income) attributable to non-controlling interests	1,221	2,488
EBITDA	128,049	253,202
(Gains) losses on investments, net	7,109	(80,686)
Impairment of long-lived assets	3,142	—
License fee dispute - India, net of non-controlling interests	—	(233)
Foreign currency transaction (gains) losses, net	(3,313)	(6,394)
Adjusted EBITDA	134,987	165,889

Note on Use of Non-GAAP Financial Measures

EBITDA is defined as “Net income (loss)” excluding “Interest income, net,” “Interest expense, net of amounts capitalized,” “Income tax benefit (provision), net,” “Depreciation and amortization,” and “Net income (loss) attributable to non-controlling interests.”

Adjusted EBITDA is defined as EBITDA excluding Gains and losses on investments, net, Foreign currency transaction gains (losses), net, and other non-recurring or non-operational items.

EBITDA and Adjusted EBITDA are not measures determined in accordance with US GAAP. EBITDA and Adjusted EBITDA are reconciled to Net income (loss) in the table above and should not be considered in isolation or as a substitute for operating income, net income or any other measure determined in accordance with US GAAP. Our management uses EBITDA and Adjusted EBITDA as measures of our operating efficiency and overall financial performance for benchmarking against our peers and competitors.

Management believes that these non-GAAP measures provide meaningful supplemental information regarding the underlying operating performance of our business and are appropriate to enhance an overall understanding of our financial performance. Management also believes that EBITDA and Adjusted EBITDA are useful to investors because they are frequently used by securities analysts, investors, and other interested parties to evaluate the performance of companies in our industry.

The consolidated financial statements of EchoStar for the periods ended March 31, 2023 and 2022 are attached to this press release. Detailed financial data and other information are available in EchoStar’s Quarterly Report on Form 10-Q for the period ended March 31, 2023 filed today with the Securities and Exchange Commission.

EchoStar will host a conference call to discuss its earnings on Tuesday, May 9, 2023 at 8:30 a.m. Eastern Time. The conference call will be broadcast live in listen-only mode on EchoStar’s investor relations website at ir.echostar.com. To participate via telephone and ask a question, participants must register using an online form found at: https://register.vevent.com/register/BI60954a97734841e7aa2eaffe6e4ad436.

About EchoStar Corporation

EchoStar Corporation (Nasdaq: SATS) is a premier global provider of satellite communications solutions. Headquartered in Englewood, Colo., and conducting business around the globe, EchoStar is a pioneer in secure communications technologies through its Hughes Network Systems and EchoStar Satellite Services business segments.

Safe Harbor Statement under the US Private Securities Litigation Reform Act of 1995

This press release may contain statements that are forward looking, as that term is defined by the Private Securities Litigation Reform Act of 1995. These forward-looking statements are based on management's beliefs, as well as assumptions made by, and information currently available to, management. When used in this release, the words “believe,” “anticipate,” “goal,” “seek,” “estimate,” “expect,” “intend,” “project,” “continue,” “future,” “will,” “would,” “can,” “may,” “plans,” and similar expressions and the use of future dates are intended to identify forward-looking statements. Although management believes that the expectations reflected in these forward-looking statements are reasonable, it can give no assurance that these expectations will prove to have been correct. You are cautioned not to place undue reliance on any forward-looking statements, which speak only as of the date made. We assume no responsibility for the accuracy of forward-looking statements or information or for updating forward-looking information or statements. These statements are subject to certain risks, uncertainties, and assumptions. See “Risk Factors” in EchoStar's Annual Report on Form 10-K for the period ended December 31, 2022 as filed with the Securities and Exchange Commission and in the other documents EchoStar files with the Securities and Exchange Commission from time to time.

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Contact Information

EchoStar Investor Relations	**EchoStar Media Relations**
Samantha Whirley Phone: +1 301-601-6451 Email: ir@echostar.com	Sharyn Nerenberg Phone: +1 301-428-7124 Email: sharyn.nerenberg@echostar.com

ECHOSTAR CORPORATION
Consolidated Balance Sheets
(Amounts in thousands, except share and per share amounts)

	As of	
	March 31, 2023	**December 31, 2022**
	(unaudited)	
Assets		
Current assets:		
Cash and cash equivalents	$ 920,105	$ 704,541
Marketable investment securities	755,169	973,915
Trade accounts receivable and contract assets, net	251,871	236,479
Other current assets, net	252,596	210,446
Total current assets	2,179,741	2,125,381
Non-current assets:		
Property and equipment, net	2,175,861	2,237,617
Operating lease right-of-use assets	147,707	151,518
Goodwill	532,858	532,491
Regulatory authorizations, net	461,556	462,531
Other intangible assets, net	15,151	15,698
Other investments, net	364,954	356,705
Other non-current assets, net	315,960	317,062
Total non-current assets	4,014,047	4,073,622
Total assets	$ 6,193,788	$ 6,199,003
Liabilities and Stockholders' Equity		
Current liabilities:		
Trade accounts payable	$ 85,772	$ 101,239
Contract liabilities	129,292	121,739
Accrued expenses and other current liabilities	163,109	199,853
Total current liabilities	378,173	422,831
Non-current liabilities:		
Long-term debt, net	1,496,981	1,496,777
Deferred tax liabilities, net	430,957	424,621
Operating lease liabilities	131,881	135,932
Other non-current liabilities	112,534	119,787
Total non-current liabilities	2,172,353	2,177,117
Total liabilities	2,550,526	2,599,948
Commitments and contingencies		

ECHOSTAR CORPORATION
Consolidated Balance Sheets
(Amounts in thousands, except share and per share amounts)

Stockholders' equity:		
Preferred stock, $0.001 par value, 20,000,000 shares authorized, none issued and outstanding at both March 31, 2023 and December 31, 2022	—	—
Common stock, $0.001 par value, 4,000,000,000 shares authorized:		
Class A common stock, $0.001 par value, 1,600,000,000 shares authorized, 59,303,237 shares issued and 35,989,926 shares outstanding at March 31, 2023 and 58,604,927 shares issued and 35,291,616 shares outstanding at December 31, 2022	59	59
Class B convertible common stock, $0.001 par value, 800,000,000 shares authorized, 47,687,039 shares issued and outstanding at both March 31, 2023 and December 31, 2022	48	48
Class C convertible common stock, $0.001 par value, 800,000,000 shares authorized, none issued and outstanding at both March 31, 2023 and December 31, 2022	—	—
Class D common stock, $0.001 par value, 800,000,000 shares authorized, none issued and outstanding at both March 31, 2023 and December 31, 2022	—	—
Additional paid-in capital	3,376,169	3,367,058
Accumulated other comprehensive income (loss)	(166,931)	(172,239)
Accumulated earnings (losses)	862,558	833,517
Treasury shares, at cost, 23,313,311 at both March 31, 2023 and December 31, 2022	(525,824)	(525,824)
Total EchoStar Corporation stockholders' equity	3,546,079	3,502,619
Non-controlling interests	97,183	96,436
Total stockholders' equity	3,643,262	3,599,055
Total liabilities and stockholders' equity	$ 6,193,788	$ 6,199,003

ECHOSTAR CORPORATION
Consolidated Statements of Operations
(Amounts in thousands, except per share amounts)
(unaudited)

	For the three months ended March 31,	
	2023	2022
Revenue:		
Services and other revenue	$ 377,527	$ 418,811
Equipment revenue	62,070	82,723
Total revenue	439,597	501,534
Costs and expenses:		
Cost of sales - services and other (exclusive of depreciation and amortization)	135,372	141,129
Cost of sales - equipment (exclusive of depreciation and amortization)	51,662	69,114
Selling, general and administrative expenses	110,061	118,170
Research and development expenses	8,255	7,617
Depreciation and amortization	102,858	120,436
Impairment of long-lived assets	3,142	—
Total costs and expenses	411,350	456,466
Operating income (loss)	28,247	45,068
Other income (expense):		
Interest income, net	28,596	6,422
Interest expense, net of amounts capitalized	(13,286)	(14,973)
Gains (losses) on investments, net	(7,109)	80,686
Equity in earnings (losses) of unconsolidated affiliates, net	(551)	(1,714)
Foreign currency transaction gains (losses), net	3,313	6,394
Other, net	70	(156)
Total other income (expense), net	11,033	76,659
Income (loss) before income taxes	39,280	121,727
Income tax benefit (provision), net	(11,460)	(32,782)
Net income (loss)	27,820	88,945
Less: Net loss (income) attributable to non-controlling interests	1,221	2,488
Net income (loss) attributable to EchoStar Corporation common stock	$ 29,041	$ 91,433
Earnings (losses) per share:		
Basic	$ 0.35	$ 1.07
Diluted	$ 0.35	$ 1.06

ECHOSTAR CORPORATION
Consolidated Statements of Cash Flows
(Amounts in thousands)
(unaudited)

	For the three months ended March 31,	
	2023	**2022**
Cash flows from operating activities:		
Net income (loss)	$ 27,820	$ 88,945
Adjustments to reconcile net income (loss) to cash flows provided by (used for) operating activities:		
Depreciation and amortization	102,858	120,436
Impairment of long-lived assets	3,142	—
Losses (gains) on investments, net	7,109	(80,686)
Equity in losses (earnings) of unconsolidated affiliates, net	551	1,714
Foreign currency transaction losses (gains), net	(3,313)	(6,394)
Deferred tax provision (benefit), net	6,521	25,538
Stock-based compensation	2,592	1,860
Amortization of debt issuance costs	204	191
Other, net	(24,078)	(2,528)
Changes in assets and liabilities, net:		
Trade accounts receivable and contract assets, net	(14,041)	(8,480)
Other current assets, net	(27,153)	(3,340)
Trade accounts payable	(13,797)	7,046
Contract liabilities	7,553	(3,142)
Accrued expenses and other current liabilities	(28,257)	(27,033)
Non-current assets and non-current liabilities, net	(1,286)	(9,774)
Net cash provided by (used for) operating activities	46,425	104,353
Cash flows from investing activities:		
Purchases of marketable investment securities	(238,585)	(88,578)
Sales and maturities of marketable investment securities	457,776	492,812
Expenditures for property and equipment	(59,071)	(112,138)
Refunds and other receipts related to capital expenditures	15,000	—
Expenditures for externally marketed software	(6,962)	(5,093)
India JV formation	—	(7,892)
Net cash provided by (used for) investing activities	168,158	279,111
Cash flows from financing activities:		
Payment of finance lease obligations	—	(85)
Payment of in-orbit incentive obligations	(1,834)	(1,444)
Proceeds from Class A common stock issued under the Employee Stock Purchase Plan	1,098	2,367
Treasury share repurchase	—	(33,307)
Net cash provided by (used for) financing activities	(736)	(32,469)
Effect of exchange rates on cash and cash equivalents	1,659	3,480
Net increase (decrease) in cash and cash equivalents	215,506	354,475
Cash and cash equivalents, including restricted amounts, beginning of period	705,883	536,874
Cash and cash equivalents, including restricted amounts, end of period	$ 921,389	$ 891,349