

October 1, 2014

VIA ELECTRONIC SUBMISSION

Chairman Tom Wheeler

Commissioner Mignon Clyburn

Commissioner Jessica Rosenworcel

Commissioner Ajit Pai

Commissioner Michael O'Rielly

Federal Communications Commission

445 12th Street, SW – Lobby Level

Washington, DC 20554

Re: In the Matter of the Applications of AT&T Inc. and DIRECTV For Consent to Assign or Transfer Control of Licenses and Authorizations, MB Docket No. 14-90

Dear Chairman and Commissioners

I write to offer a unique perspective in support of the pending merger between AT&T and DirecTV. As an entrepreneur, I have seen how innovation has helped expand the economic, social and consumer benefits that lie at the cross-roads of broadband technology and content.

Americans by nature embrace technology and have little apprehension in using it to secure a variety of quality content. My involvement in sports, film, and

television programming has reinforced an understanding that consumers of various economic means, reward greater choice and quality in entertainment

As Chairman of AXS TV and before that founder of HDNet, and prior to that, a co-founder of the first commercial streaming company Broadcast.com and the co-owner of Magnolia Pictures and 2929 Productions, the first companies to offer films digitally, on demand, prior to their release in theaters, I have seen firsthand how the digital broadband video revolution now offers consumers more and more choices with each passing day.

Yet, we now stand at the threshold of a new video revolution, as a transaction currently pending before your agency seeks to merge entities that would accompany increased high-speed broadband access for millions of consumers with the national satellite TV reach of DirecTV.

Consumers understand that the new power of broadband opens access to the over-the-top services that can provide content of their choice, available over practically any device of their choosing. Already more than 50 percent of U.S. broadband-enabled households use at least one paid OTT video service.

For content companies the merger offers the promise of an expanded high-speed broadband footprint enabling edge providers new means of reaching consumers with OTT services over a variety of platforms, broadband as well as satellite and cable. This will help close the broadband gap for OTT services for underserved broadband consumers or for those inhibited by insufficient bandwidth speeds necessary to make OTT services a usable or attractive service alternative.

In combining broadband, mobile, and video services, the merger will make it easier for consumers to access content at the time and on the screen of their choice, whether it be movies, television, information, or Dallas Mavericks games. And it will provide a new competitive alternative, with bundles of products from the combined company putting pressure on competitors to respond.

As an entrepreneur, my goal has been to promote innovation. I am proud that

DirecTV first offered HDNet as the first full time High Definition Television Network more than 10 years ago and we continued to innovate together offering digital content as a video-on-demand service nearly five years ago. Now, with the merger DirecTV and AT&T I look forward to working with the combined company to dramatically expand the reach of this and all of our content to new platforms, with easier availability, and greater access to high-speed broadband, all while enhancing competition in the broadband market.

Content providers like AXS, Magnolia Pictures, 2929 Productions and the Dallas Mavericks have many reasons to endorse this merger. I strongly support it and encourage the FCC to approve it expeditiously.

Sincerely,

Mark Cuban
Chairman AXS TV