



*Alison Minea
Director & Senior Counsel, Regulatory Affairs
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March 3, 2016

BY HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Sun Broadcasting, Inc. Complaint Against OpticalTel Telecommunications, Inc.
Concerning Retransmission of WXCW(TV), Naples, FL, MB Docket No. 14-258
(dated Dec. 2, 2014)**

*****UPDATED REQUEST FOR CONFIDENTIAL TREATMENT*****

Dear Ms. Dortch:

DISH Network L.L.C. ("DISH") hereby submits the enclosed redacted version of its January 5, 2016 response to the Commission's letter of inquiry in the above-referenced proceeding ("DISH LOI Response"). DISH respectfully requests that the redacted portions of the DISH LOI Response be afforded confidential treatment and that the previously submitted unredacted version not be placed in the Commission's public files pursuant to Sections 0.457 and 0.459 of the Commission's rules.¹

The redacted portions of the DISH LOI Response are not otherwise publicly available and reflect the type of information that is subject to protection under the Commission's rules and the Freedom of Information Act.² The redacted material contains details about competitively sensitive business arrangements between DISH and certain commercial partners that, among other things, bulk distribute programming provided by DISH or which authorize DISH to carry programming. Most businesses do not publicly reveal contracts that specify the prices, terms and conditions under which they either sell or obtain services. Thus, almost all of the specific terms in such an agreement would be the type of commercial information that "would not customarily be released to the public" and should be treated as confidential. That material qualifies as "commercial or financial information" that "would customarily be guarded from competitors" regardless of whether or not such materials are protected from disclosure by a privilege. *See* 47 C.F.R. § 0.457(d).

¹ 47 C.F.R. §§ 0.457, 0.459.

² *Id.*; 5 U.S.C. §552.

In support of this updated request and pursuant to 47 C.F.R. § 0.459(b), DISH hereby states as follows:

1. The DISH LOI Response was submitted in response to the Commission's letter dated November 16, 2015 regarding the Sun Broadcasting, Inc. complaint filed against OpticalTel Telecommunications, Inc. dated Dec. 2, 2014.
2. The redacted portions of the DISH LOI Response contain or describe, among other things, both executed and template contracts, and reveal the prices, terms, and conditions under which third parties obtain services from DISH or which authorize DISH to carry programming.
3. As a direct broadcast satellite ("DBS") provider, DISH operates in a highly competitive market, both in the residential subscriber market and the commercial bulk distributor market. The redacted portions of the DISH LOI Response include details about the prices, terms and conditions under which DISH provides programming and other services to commercial partners.
4. Disclosure of the redacted portions of the DISH LOI Response could result in substantial competitive harm. If the redacted portions of the DISH LOI Response were to be made public, DISH's competitors could use the information learned therein about DISH's business strategy and use it to take DISH's customers, among other things. Moreover, DISH is obligated under some of the contracts to protect the confidentiality of the contract and its contents.
5. DISH takes significant measures to ensure that confidential commercial information of the type described herein is not disclosed to the public.
6. The confidential material for which non-disclosure is sought is not available to the public.
7. DISH requests that the redacted portions of the DISH LOI Response, and the previously submitted unredacted version of the DISH LOI Response, be withheld from disclosure for an indefinite period. Disclosure of this information at any time could jeopardize the competitive position of DISH.

DISH requests that the Commission return this submission if its request for confidentiality is denied.³

Please contact me with any questions.

³ See 47 C.F.R. § 0.459(e).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Alison Minea", written over a horizontal line.

Alison Minea
Director & Senior Counsel,
Regulatory Affairs
DISH Network L.L.C.

Enclosure



*Alison Mines
Director & Senior Counsel, Regulatory Affairs
Alison.Mines@dish.com
(202) 463-3709*

January 5, 2016

BY HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Sun Broadcasting, Inc. Complaint Against OpticalTel Telecommunications, Inc.
Concerning Retransmission of WXCW(TV), Naples, FL (dated Dec. 2, 2014)**

Dear Ms. Dortch:

DISH Network L.L.C. ("DISH") responds to the Media Bureau's letter dated November 16, 2015 in the above-referenced proceeding to the best of its current knowledge, information and belief.

1. Does DISH currently provide a video programming reseller program? If so, state:

Answer: DISH provides, among other things, a service under which a bulk distributor can obtain programming from DISH to be provided to end-users within, for example, an apartment building or multi-dwelling unit planned community. See Exhibit A, Declaration of Lee Hirsch at ¶ 3 ("Hirsch Declaration").

a. The legal basis for such program.

Answer: Depending on the nature of the programming, the bulk distribution of DISH programming may relate to, among other things, either private contracts or statutory licenses.

b. The packages/options DISH currently offers to its video programming resellers, specifying the differences between each, including for each option/package:

Answer: Programming packages offered to bulk distributors are set forth in Exhibit C, which is a blank template showing DISH's current Bulk Programming Services Agreement (the "Bulk PSA"). For local broadcast television stations in particular, DISH offers two options under the Bulk PSA: [REDACTED] (hereinafter, the "Sub-Distribution Option"); or (2) [REDACTED] (the "Transport Option"). See Exhibit C, Bulk PSA at Schedule 1, p. 4. See also Exhibit A, Hirsch Declaration ¶ 4.

- i. The legal rights and responsibilities the reseller and DISH have for each package/option;**

Answer: The legal rights and responsibilities of the bulk distributor and DISH are generally set forth in the above-referenced Bulk PSA. See Exhibit C.



- ii. Which package/options give the reseller the right to provide the local broadcast channels under DISH's retransmission consent authority;**

Answer: The Sub-Distribution Option allows the bulk distributor to carry a given local broadcast station pursuant to DISH's retransmission consent agreement with a broadcaster. See Exhibit A, Hirsch Declaration ¶ 5.

- iii. DISH's obligation to pay retransmission consent fees to the local broadcast stations carried by the reseller;**

Answer: DISH pays retransmission consent fees to the local broadcaster for each subscriber account that falls under the Sub-Distribution Option.

- iv. The dates such package/options were first offered to resellers; and**

Answer: The Transport Option and the Sub-Distribution Option are the only two options that have been offered to bulk distributors in connection with local broadcast stations since the bulk distributor program began. Local broadcast stations have been available to bulk distributors under the Sub-Distribution option since the bulk distributor service has been available, which is at least since 1999. The Transport Option became available to bulk distributors in approximately 2006. See Exhibit B, Declaration of Milena Grigorova-Bontcheva ("Grigorova-Bontcheva Declaration") ¶¶ 4-6.

- v. **Who is eligible for each such package/option explaining how DISH verifies such eligibility.**

Answer: Both the Sub-Distribution Option and the Transport Option are generally available to bulk distributors. See Exhibit A, Hirsch Declaration ¶ 4.

- c. **List and describe all packages/options DISH (or its predecessor entity) has offered to its video programming resellers since 2005, specifying differences between each and including for each option/package:**

- i. **The legal rights and responsibilities the reseller and DISH have for each package/option;**

Answer: DISH has offered a wide variety of programming packages and options to bulk distributors from time to time, and describing each such package or option for the history of the program would be burdensome and beyond the scope of this inquiry. DISH therefore limits its responses to question (c) and its subparts to the packages and options relating to local broadcast stations.

- ii. **Which package/options give the reseller the right to provide the local broadcast channels under DISH's retransmission consent authority;**

Answer: See the responses to question (1)(b)(ii), above.

- iii. **DISH's obligation to pay retransmission consent fees to the local broadcast stations carried by the reseller;**

Answer: See the responses to question (1)(b)(iii), above.

- iv. **The dates such package/options were first offered to resellers; and**

Answer: See the responses to question (1)(b)(iv), above.

- v. **Who is eligible for each such package/option explaining how DISH verifies such eligibility.**

Answer: See the responses to question (1)(b)(v), above.

2. **State whether OpticalTel has ever maintained a video programming reseller relationship with Dish. If the answer is yes, provide the dates during which that relationship existed.**

Answer: According to DISH's records, OpticalTel became a DISH bulk distributor on June 19, 2008. See Exhibit A, Hirsch Declaration ¶ 6. OpticalTel and DISH

entered into, among other things, a Bulk Programming Services Agreement (the “Sail Harbour Bulk PSA”) effective December 1, 2005 for the Sail Harbour community. *See Exhibit D, Sail Harbour Bulk PSA.* The Sail Harbour Bulk PSA is still in effect as of the date of this response. *See Exhibit A, Hirsch Declaration ¶ 6.*

With respect to the Glades Country Club community, OpticalTel assumed the services agreements previously in place between DISH and a company known as Accelerated Broadband, L.L.C. (“ABLLC”) effective December 19, 2012. *See Exhibit E, Assignment and Assumption Agreement.* DISH has not yet been able to determine whether it has a copy of the original agreement between DISH and ABLLC. However, according to DISH’s internal billing systems, the account associated with the Glades Country Club community was first established on December 6, 2007. *See Exhibit A, Hirsch Declaration ¶ 7.*

DISH and OpticalTel also have bulk programming agreements in place for Cypress Trails RV Resort in Fort Myers, Florida. *See Exhibit A, Hirsch Declaration ¶ 8.*

3. If OpticalTel currently maintains a video programming reseller relationship with Dish, state:

a. The date on which the reseller relationship began;

Answer: See response to Question 2, above.

b. Whether the relationship includes the right for OpticalTel to retransmit the local broadcast channels under DISH’s retransmission consent authority;

i. If so, state the broadcast locations and dates for which OpticalTel has maintained the right to provide the local broadcast channels under DISH’s retransmission consent authority.

Answer: Effective December 12, 2014, OpticalTel elected DISH’s Sub-Distribution Option (meaning local broadcast stations carried pursuant to DISH’s retransmission consent agreements with the relevant local broadcasters) for the Sail Harbour and the Glades Country Club communities. *See Exhibit E, letter from the DISH Business Team to OpticalTel Telecommunications, Inc., dated January 22, 2015 (the “1/22/2015 DISH-OpticalTel Letter”). See also Exhibit A, Hirsch Declaration ¶ 9.*

c. Whether OpticalTel maintains a contractual relationship with DISH as a video programming reseller, but without the right to provide the local broadcast channels under DISH’s retransmission consent authority;

Answer: Not at this time.

- 1. If so, provide the locations and dates for which OpticalTel maintains such a relationship without the right to provide the local broadcast channels.**

Answer: Prior to December 12, 2014, OpticalTel's provision of local broadcast stations, if any, to the Sail Harbour and the Glades Country Club communities fell under the Transport Option. For the Sail Harbour Community, see Exhibit D, Sail Harbour Bulk PSA at Schedule 1, pp. 3-4. See also Exhibit A, Hirsch Declaration ¶ 9.

Attached as Exhibit J are monthly invoices for the Sail Harbour community, dating from December 2010 to December 2015, which show on the second page of each invoice the amount paid by OpticalTel for local broadcast stations (shown as "Locals"). For December 2010 through December 2015, OpticalTel paid [REDACTED] rate associated with the Transport Option. For January 2015 through December 2015, OpticalTel paid [REDACTED] associated with the Sub-Distribution Option. DISH does not have invoices issued to OpticalTel for the Sail Harbour community dating earlier than December 2010.

Attached as Exhibit K are monthly invoices for the Glades Country Club community, dating from December 2010 to December 2015, which show on the second page of each invoice the amount paid by OpticalTel for local broadcast stations (shown as "Locals"). For December 2010 through December 2015, OpticalTel paid [REDACTED] rate associated with the Transport Option. For January 2015 through December 2015, OpticalTel paid [REDACTED] associated with [REDACTED]. DISH does not have invoices issued to OpticalTel for the Glades Country Club community dating earlier than December 2010.

- d. State specifically whether OpticalTel currently maintains a video programming reseller relationship agreement, through Dish, with respect to the communities of Sail Harbour and Glades Country Club, Fort Myers, Florida:**

Answer: See response to Question 2, above.

- i. If so, provide the dates such agreements began and state whether they include the right to broadcast local broadcast channels. Provide copies of any such agreements.**

Answer: See response to Question 3(b)(i) and 3(c)(i), above.

- 4. If the answer to inquiry 3(d) is yes, state whether:**

- a. OpticalTel is currently authorized as a DISH video programming reseller with the rights to provide retransmission for local broadcast station**

WXCW(TV) to subscribers in Sail Harbour? If so, state the time periods during which OpticalTel has had such authority.

Answer: Effective December 12, 2014 and continuing through the date of this response, OpticalTel provided/provides WXCW(TV) to the Sail Harbour community under the Sub-Distribution Option. See Exhibit F, the 1/22/2015 DISH-OpticalTel Letter. See also Exhibit A, Hirsch Declaration ¶ 9.

b. OpticalTel is currently authorized as a DISH video programming reseller with the right to provide retransmission for local broadcast station WXCW(TV) to subscribers in Glades Country Club? If so, state the time periods during which OpticalTel has had such authority.

Answer: Effective December 12, 2014 and continuing through the date of this response, OpticalTel provided/provides WXCW(TV) to the Glades Country Club community under the Sub-Distribution Option. See Exhibit F, the 1/22/2015 DISH-OpticalTel Letter. See also Exhibit A, Hirsch Declaration ¶ 9.

- 5. Identify the attached letter, dated January 22, 2015 (Exhibit A), and state whether DISH sent the letter to OpticalTel authorizing OpticalTel to retransmit non-transport local network services beginning December 12, 2014, for the communities of Sail Harbour and Glades Country Club.**

Answer: The document presented as Exhibit A to the Commission's above-referenced Letter of Inquiry appears to be the same document attached as Exhibit F, the 1/22/2015 DISH-OpticalTel Letter. See Exhibit A Hirsch Declaration ¶ 10.

- 6. If the answer to inquiry 5 is yes, state whether the letter represents the first such authorization by DISH, or whether DISH had previously authorized OpticalTel to provide non-transport local network services prior to December 12, 2014, for the communities of Sail Harbour and Glades Country Club.**

Answer: The 1/22/2015 DISH-OpticalTel Letter represents the first such instance of DISH confirming OpticalTel's request to provide local broadcast stations under the Sub-Distribution Option for the communities of Sail Harbour and Glades Country Club. See Exhibit A, Hirsch Declaration ¶ 10.

- 7. If the answer to inquiry 6 is yes, and DISH had previously authorized retransmit non-transport local network services, then explain why the letter contains an effective date beginning on December 12, 2014.**

Answer: Prior to December 12, 2014, DISH had not previously authorized OpticalTel to provide local broadcast stations under the Sub-Distribution Option for the communities of Sail Harbour and Glades Country Club. See Exhibit A, Hirsch Declaration ¶ 10.

8. Does DISH maintain a contractual relationship with Sun as alleged in the above-referenced complaint? If so, pursuant to that relationship, was Sun instructed that OpticalTel is authorized by DISH to provide "transport" reseller services only with no rights to retransmit the signal of station WXCW(TV)?

Answer: Yes, DISH currently has a retransmission consent agreement with Sun Broadcasting, Inc., [REDACTED]

[REDACTED]

[REDACTED]

To the extent that DISH delivered the signal of WXCW(TV) to OpticalTel's local receive facility for the Sail Harbour and the Glades Country Club communities under the Transport Option, such signal delivery would fall under 17 U.S.C. § 111(a)(3).

9. If the answer to inquiry 8 is yes, then state any knowledge or information obtained by DISH that would provide a basis for a belief by Sun that such services were not authorized. If this statement in the complaint is accurate, how does DISH explain the statement in the letter dated January 22, 2015, provided to OpticalTel, that such services are authorized?

Answer: DISH does not have additional information beyond the responses herein and the documents included with this response.

10. Does DISH maintain an existing retransmission consent agreement with Sun to carry Station WXCW(TV)? If so, state the following:

- a. The date on which the agreement began.

Answer: Yes, beginning [REDACTED] See Exhibit G, the Current DISH/Sun Retrans Agreement.

- b. Whether such an agreement covers retransmission of station WXCW(TV) by authorized DISH resellers?

Answer: [REDACTED]

- c. Whether DISH is obligated to pay retransmission consent fees to Sun for the retransmission of station WXCW(TV) by resellers?

Answer: [REDACTED]

11. If the answer to inquiry 10(c) is yes, then state:

- a. Whether DISH paid retransmission consent fees to Sun for the retransmission of WXCW(TV) by OpticalTel for its subscribers in Sail Harbour?

- i. If so, state the dates and time periods for which DISH paid retransmission consent fees to Sun for such retransmission of the station by OpticalTel for its subscribers in Sail Harbour.

Answer: DISH paid retransmission consent fees to Sun for the provision of WXCW(TV) in the Sail Harbour community for the month of December 2014 through November 2015. DISH's retransmission fee payment for December 2015, which also includes fees for the Sail Harbour community, is currently being processed. See Exhibit I, Declaration of Jonathan Pilot at ¶ 4 ("Pilot Declaration").

- b. Whether DISH paid retransmission consent fees to Sun for the retransmission of WXCW(TV) by OpticalTel for its subscribers in Glades Country Club?

- i. If so, state the dates and time periods for which DISH paid retransmission consent fees to Sun for such retransmission of the station by OpticalTel for its subscribers in Glades Country Club.

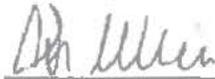
Answer: DISH paid retransmission consent fees to Sun for the provision of WXCW(TV) in the Sail Harbour community for the month of December 2014 through November 2015. DISH's retransmission fee payment for December 2015, which also includes fees for the Glades Country Club community, is currently being processed. See Exhibit I, Pilot Declaration ¶ 4.

* * *

REDACTED -- FOR PUBLIC INSPECTION

Please contact the undersigned if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alison A. Minea", written over a horizontal line.

Alison A. Minea

DECLARATION OF JEFFREY H. BLUM

I, Jeffrey H. Blum, being over 18 years of age, swear and affirm as follows:

1. I make this declaration using facts of which I have personal knowledge or based on information provided to me, and in connection with DISH Network L.L.C.'s ("DISH's") response ("DISH LOI Response") to the Federal Communications Commission's ("FCC" or "Commission") Letter of Inquiry ("LOI") dated November 16, 2015 requesting certain information regarding OpticalTel Telecommunications, Inc. ("OpticalTel").
2. I am currently the Senior Vice President and Deputy General Counsel for DISH. In that capacity, I am responsible for, among other things, overseeing DISH's federal regulatory affairs and its written correspondence with the Commission.
3. Unless otherwise stated, the information requested by the LOI that is in DISH's possession, custody, control, or knowledge has been produced.
4. All documents that are being provided in response to the LOI are true and accurate copies of the original documents.
5. In making this declaration, I relied upon the accompanying declarations of Milena Grigorova-Bontcheva, Lee Hirsch, and Jonathan Pilot.

The foregoing declaration has been prepared using facts of which I have personal knowledge or based upon information provided to me. I declare under penalty of perjury that the foregoing is true and correct to the best of my current information, knowledge, and belief.

Executed on January 5, 2016



Jeffrey H. Blum
Senior Vice President and
Deputy General Counsel
DISH Network L.L.C.

EXHIBIT A: DECLARATION OF LEE HIRSCH

I, Lee Hirsch, being over 18 years of age, swear and affirm as follows:

1. I make this declaration using facts of which I have personal knowledge, and in connection with DISH Network L.L.C.'s ("DISH's") response ("DISH LOI Response") to the Federal Communications Commission's ("FCC" or "Commission") Letter of Inquiry ("LOI") dated November 16, 2015 requesting certain information regarding OpticalTel Communications, Inc. ("OpticalTel").
2. I am currently an Operations Manager II for DISH and work with our commercial line of business, including relations with bulk distribution partners. In that capacity, I am responsible for, among other things, managing a partner support team, budgeting, reporting, audit/quality assurance, commercial accounts payable and receivable, and financial modeling.
3. DISH provides, among other things, a service under which a bulk distributor can obtain programming from DISH to be provided to end-users within, for example, an apartment building or multi-dwelling unit planned community.
4. Programming packages offered to bulk distributors are set forth in Exhibit C to the DISH LOI Response, which is a blank template showing DISH's current Bulk Programming Services Agreement (the "Bulk PSA"). For local broadcast television stations in particular, DISH offers two options under the Bulk PSA: [REDACTED] (hereinafter, the "Sub-Distribution Option"); or (2) [REDACTED] (the "Transport Option"). See Exhibit C, Bulk PSA at Schedule 1, p. 4. Both the Sub-Distribution Option and the Transport Option are generally available to bulk distributors.
5. The Sub-Distribution Option allows the bulk distributor to carry a given local broadcast station pursuant to DISH's retransmission consent agreement with a broadcaster. Under the Transport Option, the bulk distributor is responsible for securing any necessary rights to provide the local broadcast stations(s) to its end user customers.
6. According to DISH's records, OpticalTel became a DISH bulk distributor partner on November 10, 2005. OpticalTel and DISH then entered into, among other things, a Bulk Programming Services Agreement effective December 1, 2005 for the Sail Harbour community (the "Sail Harbour Bulk PSA"). See Exhibit D, Sail Harbour Bulk PSA. The Sail Harbour Bulk PSA is still in effect as of the date of this response.
7. According to DISH's records, with respect to the Glades Country Club community, OpticalTel assumed the services agreements previously in place between DISH and a company known as Accelerated Broadband, L.L.C. ("ABLLC"), effective December 19, 2012. See Exhibit E, Assignment and Assumption Agreement. DISH has not yet been able to determine whether it has a copy of the original agreement between DISH and

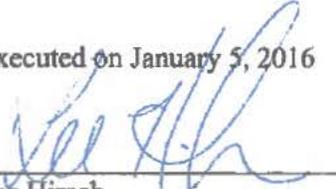
REDACTED -- FOR PUBLIC INSPECTION

ABLLC. However, according to DISH's internal billing systems, the account associated with the Glades Country Club community was first established on December 6, 2007.

8. DISH and OpticalTel also have programming agreements in place for Cypress Trails RV Resort in Fort Myers, Florida.
9. Effective December 12, 2014, OpticalTel elected DISH's Sub-Distribution Option (meaning carried pursuant to DISH's retransmission consent agreements with the relevant local broadcasters) for the Sail Harbour and the Glades Country Club communities. Effective December 12, 2014 and continuing through the date of this response, OpticalTel provided/provides WXCW(TV) to the Sail Harbour and Glades Country Club communities under the Sub-Distribution Option. *See* Exhibit E, letter from the DISH Business Team to OpticalTel Telecommunications, Inc., dated January 22, 2015 (the "1/22/2015 DISH-OpticalTel Letter"). Prior to December 12, 2014, OpticalTel's provision of local broadcast stations, if any, to the Sail Harbour and the Glades Country Club communities fell under the Transport Option. For the Sail Harbour Community, *see* Exhibit D, Sail Harbour Bulk PSA at Schedule 1, pp. 3-4.
10. The document presented as Exhibit A to the Commission's above-referenced Letter of Inquiry appears to be the same document attached as Exhibit F, the 1/22/2015 DISH-OpticalTel Letter. To the best of DISH's knowledge and belief, the 1/22/2015 DISH-OpticalTel Letter represents the first such instance of DISH confirming OpticalTel's request to provide local broadcast stations under the Sub-Distribution Option for the communities of Sail Harbour and Glades Country Club. To the best of DISH's knowledge and belief, prior to December 12, 2014, DISH had not previously authorized OpticalTel to provide local broadcast stations under the Sub-Distribution Option for the communities of Sail Harbour and Glades Country Club.

The foregoing declaration has been prepared using facts of which I have personal knowledge or based upon information provided to me. I declare under penalty of perjury that the foregoing is true and correct to the best of my current information, knowledge, and belief.

Executed on January 5, 2016



Lee Hirsch
Operations Manager II
DISH Network L.L.C.

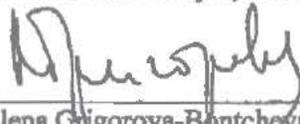
EXHIBIT B: DECLARATION OF MILENA GRIGOROVA-BONTCHEVA

I, Milena Grigorova-Bontcheva, being over 18 years of age, swear and affirm as follows:

1. I make this declaration using facts of which I have personal knowledge, and in connection with DISH Network L.L.C.'s ("DISH's") response ("DISH LOI Response") to the Federal Communications Commission's ("FCC" or "Commission") Letter of Inquiry ("LOI") dated November 16, 2015 requesting certain information regarding OpticalTel Communications, Inc. ("OpticalTel").
2. I am currently Senior Program Manager for International Programming at DISH. In that capacity, I am responsible for, among other things, negotiating and securing distribution rights for multicultural and ethnic content for DISH and Sling TV. I have been with DISH (and its predecessor company) since 1999, and have extensive experience with, among other things, DISH's commercial business lines selling programming to bulk distributors.
3. The current programming packages offered to bulk distributors are set forth in Exhibit C to the DISH LOI Response, which is a blank template showing DISH's current Bulk Programming Services Agreement (the "Bulk PSA"). For local broadcast television stations in particular, DISH offers two options under the Bulk PSA: (1) [REDACTED] (the "Sub-Distribution Option"); or (2) [REDACTED] (the "Transport Option"). See Exhibit C, Bulk PSA at Schedule 1, p. 4.
4. DISH's bulk distributor service has been available at least since 1999 when I joined the company, and since the time the service was launched, local broadcast stations have been available to bulk distributors under the Sub-Distribution option.
5. Based upon my review of DISH's records, the Transport Option became available to bulk distributors in approximately 2006.
6. The Transport Option and the Sub-Distribution Option are the only two options that have been offered to bulk distributors in connection with local broadcast stations since the bulk distribution program began.

The foregoing declaration has been prepared using facts of which I have personal knowledge or based upon information provided to me. I declare under penalty of perjury that the foregoing is true and correct to the best of my current information, knowledge, and belief.

Executed on January 5, 2016



Milena Grigorova-Bontcheva
Senior Program Manager
DISH Network L.L.C.

EXHIBIT C

[REDACTED IN ITS ENTIRETY]

EXHIBIT D

[REDACTED IN ITS ENTIRETY]

EXHIBIT E
[REDACTED IN ITS ENTIRETY]

REDACTED -- FOR PUBLIC INSPECTION

EXHIBIT F



January 22, 2015

RE: DISH Service Subscription – OpticalTel Telecommunications, Inc. (D/B/A HControl Corporation)

Hello,

This letter is written to indicate that DISH Network L.L.C. ("DISH") has authorized local network services (non-transport) to the private cable operator OpticalTel Telecommunications, Inc. located at 1360 S. Dixie Hwy Suite 200, Coral Gables, Florida 33146 (the "PCO"), as requested by the PCO to DISH for the properties and service dates described below:

Property Name	Address	Services	Subscription Effective Date
THE GLADES COUNTRY CLUB	174 TERYL RD, NAPLES, FL 34112	Qualifying local networks	12/12/2014
SAIL HARBOUR	16244 VIA SOLERA CIR, FORT MYERS, FL 33908	Qualifying local networks	12/12/2014
CYPRESS TRAILS RV RESORT	5340 CYPRESS TRL RESORT, FORT MYERS, FL 33905	Qualifying local networks	11/11/2013

The costs and details of these services can also be located in the monthly billing statements received by the PCO from DISH.

Sincerely,

DISH Business Team

EXHIBIT G
[REDACTED IN ITS ENTIRETY]

EXHIBIT H
[REDACTED IN ITS ENTIRETY]

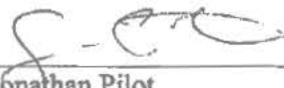
EXHIBIT I: DECLARATION OF JONATHAN PILOT

I, Jonathan Pilot, being over 18 years of age, swear and affirm as follows:

1. I make this declaration using facts of which I have personal knowledge, and in connection with DISH Network L.L.C.'s ("DISH's") response ("DISH LOI Response") to the Federal Communications Commission's ("FCC" or "Commission") Letter of Inquiry ("LOI") dated November 16, 2015 requesting certain information regarding OpticalTel Communications, Inc. ("OpticalTel").
2. I am currently an Accounting Manager II for DISH. In that capacity, I am responsible for, among other things, handling DISH's payments to local broadcast station owners for retransmission fees.
3. I have reviewed DISH's accounting records for monthly payments made by DISH to Sun Broadcasting, Inc. ("Sun") in connection with DISH's retransmission of the WCXW(TV) station in the Fort Myers, Florida Designated Market Area.
4. Beginning with the month of December 2014 and continuing through November 2015, DISH's monthly payments to Sun have included retransmission fees payments for each subscriber in the Sail Harbour and Glades Country Club communities in Fort Myers, Florida. DISH's retransmission fee payment to Sun for December 2015, which includes fees for the Sail Harbour and Glades Country Club communities, is currently being processed.

The foregoing declaration has been prepared using facts of which I have personal knowledge or based upon information provided to me. I declare under penalty of perjury that the foregoing is true and correct to the best of my current information, knowledge, and belief.

Executed on January 5, 2016



Jonathan Pilot
Accounting Manager II
DISH Network L.L.C.

EXHIBIT J

[REDACTED IN ITS ENTIRETY]

EXHIBIT K

[REDACTED IN ITS ENTIRETY]