

EX PARTE OR LATE FILED

RECEIVED

NOV 13 1998

Robert H. Kirkpatrick III
410 Degraw Street
Brooklyn, N.Y. 11231

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Commissioner Susan Ness
Federal Communications Commission
1919 M St. NW, Rm. 832
Washington, DC 20554

MM 93-25

11 November 1998

Dear Commissioner Ness:

I strongly urge you to vote against giving Direct Broadcast Satellite providers the ability to pick their own programmers in fulfillment of their public interest obligations. To allow DBS providers to pick their programmers will seriously compromise the spirit of the Cable Act of 1992 and give DBS providers undue editorial authority on what constitutes public interest programming.

Public interest programming is best served when the "public" is given a role in its creation. Educational or health institutions, arts and sciences organizations, non-profit groups and organizations should have access to providing educational and informational programming directly to interested consumers.

Communities which are underserved by mass media should also have access to providing programming for delivery on DBS systems---whether those communities are racial, cultural, religious or political minorities, seniors or youth, disabled or economically or personally disenfranchised.

Viewers seek such programming as an important part of the entire array of programming they are offered. DBS providers are not, nor should they be, expected to be qualified to provide these services or speak for these communities.

The Cable Act of 1992 provides an "electronic greenspace" dedicated to the public interest. Please maintain this "greenspace" by not giving the power to pick programming to the providers of Direct Broadcast Satellite television.

Sincerely,


Robert Kirkpatrick

No. of Copies rec'd _____
List A B C D E _____