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Before the
Federal Communications Commission
Washington, D.C. 20554

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JUN 11 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Carriage of Digital Television Broadcast)
Signals Amendments to Part 76 of the)
Commission's Rules; Implementation of the)
Satellite Home Viewer Improvement Act of)
1999: Local Broadcast Signal Carriage)
Issues Application of Network)
Non-Duplication, Syndicated Exclusivity)
and Sports Blackout Rules to Satellite)
Retransmission of Broadcast Signals)

CS Docket No. 98-120 ✓
CS Docket No. 00-96
CS Docket No. 00-2

To the Commission:

COMMENTS OF DIRECTV, Inc.

In the Further Notice of Proposed Rulemaking ("Further Notice") in this proceeding,¹ the Commission seeks comment on, among other issues, whether it should apply to satellite carriers any cable rules it may adopt requiring the carriage of broadcasters' digital signals, and if so, how such rules would need to be adapted to apply to satellite carriers.² The Further Notice states that the Commission will incorporate into this docket prior comments made in the satellite must carry implementation proceedings related to satellite digital broadcast signal carriage issues.³

¹ Carriage of Digital Television Broadcast Signals Amendments to Part 76 of the Commission's Rules; Implementation of the Satellite Home Viewer Improvement Act of 1999: Local Broadcast Signal Carriage Issues Application of Network Non-Duplication, Syndication Exclusivity and Sports Blackout Rules to Satellite Retransmission of Broadcast Signals, *First Report and Order and Further Notice of Proposed Rulemaking*, FCC 01-22 (rel. Jan. 23, 2001).

² Further Notice at ¶ 136.

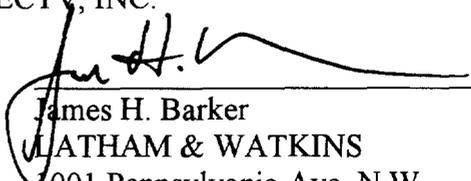
³ *Id.*

DIRECTV, Inc. ("DIRECTV")⁴ hereby incorporates by reference into the record in the above-captioned proceeding those portions of its Comments⁵ and Reply Comments⁶ filed in CS Docket No. 00-96 regarding Commission imposition of a dual carriage obligation. For the reasons that DIRECTV has stated in these Comments and Reply Comments, the Commission lacks authority to promulgate any rules mandating satellite carriage of broadcasters' digital signals. Furthermore, any consideration of such a requirement prior to the completion of the transition by the broadcasters to digital television is premature and contrary to the public interest.

Respectfully submitted,

DIRECTV, INC.

By:


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June 11, 2001

⁴DIRECTV is a wholly-owned subsidiary of DIRECTV Enterprises, Inc., a licensee in the DBS service and a wholly-owned subsidiary of Hughes Electronics Corporation.

⁵See Implementation of the Satellite Home Viewer Improvement Act of 1999, Broadcast Signal Carriage Issues, CS Docket No. 00-96, Comments of DIRECTV, Inc. (filed on July 14, 2000), at 45-49.

⁶See Implementation of the Satellite Home Viewer Improvement Act of 1999, Broadcast Signal Carriage Issues, CS Docket No. 00-96, Reply Comments of DIRECTV, Inc. (filed on Aug. 4, 2000), at 38-42.