

EX PARTE OR LATE FILED

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November 7, 2001

Via Hand Delivery

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
445 Twelfth St, S.W.
Washington, DC. 20554

Ex Parte

Re: Ex Parte Communication in ET Docket No. 98-206; RM-9147; RM-9245
Applications of Broadwave USA, et al, PDC Broadband Corporation, and
Satellite Receivers, Ltd., to provide a fixed service at 12.2-2.7 GHz

Dear Ms. Salas:

Satellite Receivers, Ltd. (Satellite Receivers), by counsel, hereby submits that the prospect of consolidation in the DBS marketplace as a result of the proposed merger between EchoStar Communications Corporation (EchoStar) and DirectTV Enterprises, Inc. (DirectTV) makes the Commission's Public Interest responsibilities in the instant proceedings abundantly clear -- the Commission should forthwith allow for the sharing of 12.2 -12.7 GHz between DBS and terrestrial competitors. This would result in three choices of program and broadband delivery suppliers for consumers, namely MSOs/cable companies, DBS and MVDDS licensees. Moreover, approval of consolidation in the DBS arena of the two largest players should result in greater local-to-local transponder capacity, which would lessen the interference potential in the context of the findings of MITRE -- it would be easier to coordinate with one supplier than two.

Finally, Satellite Receivers urges the Commission to promptly award regional licenses, which will both promote competition for the benefit of consumers and facilitate the sharing of spectrum between DBS and MVDDS.

Sincerely,



David A. Irwin
Counsel for Satellite Receivers, Ltd.

Full Service list and
all Commissioners

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ENCLOSURE

CERTIFICATE OF SERVICE

I, Denise A. Branson, hereby certify that on this 7th day of November 2001, true and correct copies of the foregoing have been served by first class U.S. Mail, postage prepaid on the following:

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