

I would like to enter my comments in support of the proposed EchoStar/DirectTV merger. Information I believe to be correct indicates that in the 1998 PrimeStar/NewsCorp/MCI cases, the DOJ and FCC defined the market as to be Multichannel Video Programming Distribution (MVPD) and the DOJ concluded that DBS and cable were in the same market. This would seem to dispel the monopoly concept as there are several independent cable companies as well as pending applications from other players in this market.

If it is true that the original allocation of DBS frequencies, orbital slots and the passage of laws such as the SHVIA were efforts to promote competition with the cable industry, then the only logical choice is to allow this merger.

An understanding of the technology and its requirements, illustrates that both DirectTV and DISH are pushing their prospective bandwidth limits (affecting quality and selection) and are in danger of being able to freely compete with cable (which uses its more available bandwidth regionally vs. the national need that DBS bandwidth has). It seems another logical choice would be to allow these two services to combine bandwidth and other assets resulting in lowered overhead (with its possible consumer price benefit) and the ability to continue free competition.

There are other benefits that I'm sure are being examined. The companies involved are two privately owned and operated businesses providing a service to the American consumer. Each company has independently researched and feel the merger to be in the best interest of consumers. Ultimately it will be consumers who will decide, through their patronage, if the merged company will succeed.