ACU
THE AMERICAN CONSERVATIVE UNION
1007 Cameron Street
Alexandria, VA 22314
www.conservative.org

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The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Docket # 01-348

02-N815536

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THE AMERICAN CONSERVATIVE UNION

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May 29, 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Proceeding 01-348

Dear Chairman Powell:

I write in support of the proposed merger between EchoStar and DirecTV, an issue that is currently before your Commission for approval. I can't think of another potential merger more deeply rooted in free market principles or more clearly in the public interest. Permitting this merger will open the door to a new level of competition between satellite providers and cable companies in the pay-TV market, where the big cable companies now enjoy an 80 percent share.

EchoStar and DirecTV, when merged, would have a combined market share of 17 percent, in a market that was a series of geographic cable monopolies before satellite technology introduced competition. The merger would make that competition much stronger and dramatically increase the benefits for consumers. Satellite companies' limitations in offering local channels have been a major obstacle to competing with cable in the past. The combined company (the "new" EchoStar) would have the critical mass and, most important, the combined broadcast spectrum and satellite assets to carry local channels in every broadcast market in the US.

The new EchoStar would also offer high-speed Internet access and other broadband services by satellite across the country at one uniform price. This would escalate the competition with cable companies and offer badly needed competition to the DSL broadband services offered by the regional Bell companies. Expanded services and competitive pricing from the new EchoStar would put a market-based restraint on price increases by the cable and Bell companies. In the time honored free-market tradition, providers would have to compete harder and make better offers.

The merits of the EchoStar/DirecTV merger should speak for themselves: lower prices, better services, and more choices. A careful review of the FCC filing on behalf of the merger, we believe, will lead to only one conclusion - this merger will allow for increase competition between satellite and cable companies and will be in the best interest of consumers.

Sincerely,

David A. Keene
Chairman

Founded 1964
The Nation's Oldest and Most Conservative Organization

MSTA MARYLAND STATE TEACHERS ASSOCIATION NEA
140 Main Street
Annapolis, MD 21401-2020

Michael K. Powell, Chairman
Federal Communications
Commission
445 12th Street, NW
Washington, DC 20554

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Docket # 01-348

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20 An NEA affiliate

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http://www.msta.nea.org

Patricia A. Foerster, *President*
Clara B. Floyd, *Vice President*
Betsy Moyer, *Executive Director*

May 24, 2002

Michael K. Powell, Chaii-man
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell.

I am writing to let you know of the Maryland State Teachers Association (MSTA) strong support for the proposed merger of EchoStar Communications Corporation and DirecTV. MSTA applauds EchoStar's ongoing commitment to students all across America, but especially in rural areas, whei-e cable educational programming is often unavailable or cost-prohibitive.

Our organization, representing 55,000 members, is committed to malting broadband Inteinet service more accessible to schools in both rural and urban areas. We believe that the combined company will havc the financial wherewithal and geographical reach to make the broadband revolution a reality for all children. This merger will take an important step in bridging the digital dividc, particularly in rural areas where many schools and students do not have access to cable or other alternative routes to divei-se programming and high speed Inteinet access.

Oui-interest in this pi-oject is directly related to its impact on children and public education across the nation. Currently, 25% of the zip codes in America have no access to high speed internet use. But what is most troubling is that rural America is currently dramatically underserved. **In Maryland, 12 % of the zip codes still do not have access to high speed internet.** Echostar and DirecTV have agreed that if the merger is appi-oved, they will enhance their current high speed internet capabilities to ensure that evei-y zip code in the country has access and thus making it possible for evei-y child in America to be able to cross the digital divide. Their current business plan calls for this enhancement to take place by early 2004. Since it is not cost effective for either company to provide this enhancement alone, the expansion of high speed internet will not take place without the merger. In addition, competing land based cable companies which have 85% of the market have not and would not in the future provide this service because it *is* not cost effective to do so. You can imagine the cost of running wires and putting up towers in rural areas of Maryland where the residents may or may not purchase the product.

Studies have also shown that many teachers use the Internet at home. Furthermore, it is more and more common for children to use the Internet at home for homework. Unfortunately there is

MSTA

a huge disparity in who can access broadband at home. In fact, a recent joint study by the Departments of Commerce and Agriculture confirms that only 5% of small and rural towns have cable modem broadband choices compared to 65% of larger cities. Chances are many rural and remote coinmunitics will never see broadband choices come into their communities anytime soon. At the same time, the teachers, parents and students who live in these communities -- separated by distance and geography -- are perhaps the communities that can benefit most from the delivery of broadband. They are on the other side of the digital divide that the Association has fought so hard tc close.

MSTA has recognized and applauded DirecTV's ongoing commitment to transmitting educational programming to schools throughout the country. Through the company's "DirecTV Goes to School" public service initiative, a special programming package called "School Choice" is provided free of charge to thotisands of K-12 educational institutions. As we move into a new century, this important commitment to children will help them better prepare and compcte in a deinanding economy filled with the promise of the convergence of educational opportunities and technical advancements.

This merger will also assist America's teachers and professors in their ongoing research and in tlieir efforts to relay information to their students as effectively and creatively as possible. We believe the combined resources of these two satellite companies will lead to a quickei-roll out of advanced television programming (including interactive TV) and other enhanced services video services. All of these improvements will also allow our members to communicate and share information with theii- students and each other much more easily.

On behalf of the thousands of elementary and secondary teachers, higher education faculty and education support personnel, school administrators. retired educators and students preparing to become teachers who belong to the MSTA, I urge you to join us in supporting this important merger for the benefits it will bring to students and schools all across America.

Sincerely,

Patricia Foeister

Patricia Foeister, President
Maryland State Teachers Association

Fiscus Realty
1111 Main # 11
Billings, MT 59105

Docket # 01-348

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02-NE2282

Chairmen Michael Powell
Federal Communications Commission
445 12th St., SW
Washington, D.C. 20554

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FISCUS REALTY
1111 MAIN STREET
BILLINGS, MONTANA 59105
(406) 252-6400

March 11, 2002

Chairmen Michael Powell
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

The Honorable John Ashcroft
Attorney General, United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Chairmen Powell and Attorney General Ashcroft:

I am writing to you as a Realtor and a consumer *to* urge swift approval of the proposed merger between Hughes (the provider of Direct TV) and EchoStar (the provider of the Dish Network). As I understand it, this proposal is currently under review by the FCC (docket number 01-348) and by the Department of Justice and I wanted to take just a moment to give you my perspective on this issue.

As a small business. I cannot get high speed broadband internet at my office. It is not available and the companies have already announced that, if allowed to merge, they will take immediate steps to make broadband internet available across Montana. This is a significant benefit to my business and to businesses throughout Montana in. rural America for whom the digital divide is a very real barrier to ecommerce opportunities.

As a realtor, it is an unfortunate reality of my business that many homes I show to potential clients do not have television access to either local channels or national networks. As you can imagine, that has a chilling effect on the marketability of a home. Should this merger go forward, every home in Montana will be able to get both local channels and national networks via satellite television. Once again, this will be a major benefit to rural residents and to those of us who work to help them obtain the American dream of home ownership.

I hope you will move swiftly to approve this merger and bring these important benefits to home-owners and small businesses in rural and urban area's throughout Montana and America.

Sincerely yours,

Clayton Fiscus

CC: Montana Congressional Delegation

MISSOURI HOUSE OF REPRESENTATIVES
DERIO L. GAYBARO
Stale Representative
65th District

Stale Capitol . House Post Office
201 West Capitol Avenue
Jefferson City, MO 65101-6806

The Honorable Michael K. Powell
Federal Communications Commission
445 - 12th Street. S.W.
Washington, D.C. 20544

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Docket # 01-348

02-N81535

DERIO L. GAMBARO
State Representative
District 65

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5320 Wilson Ave
St. Louis, MO 63110

CAPITOL OFFICE
State Capitol
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Jefferson City, MO 65101-6806
Tele: 573-751-4220

MISSOURI
HOUSE OF REPRESENTATIVES

May 15, 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commissions
445-12th Street, S.W.
Washington, D.C 20544

Dear Mr. Powell:

I would like to encourage your support of the ECHOSTAR/Direct TV merger that presently is pending before the F.C.C. docket and the D.O.J. Consumers will benefit from the merger because the new merged company will provide true competition to the monopolies the cable companies enjoy today. Thus, the new company, ECHOSTAR will be in a better position to offer more choices, better services and more competitive pricing.

Because duplicative programs will be eliminated, the merger will free up spectrum currently used by the two companies. As a result, more program choices will be offered. Some other benefits will be to bridge the "Digital Divide" between rural and urban residents. High speed competitively priced internet access via satellite will particularly benefit rural areas, especially schools and businesses that do not have access to cable modem service or DSL.

The merger will mean more competition not less for all consumers. As a result of the merger the cable companies too, will have an economic incentive to provide better services, more programming choices and be competitive. Please support the merger. I appreciate your attention and interest in this matter.

Respectfully submitted,

Derio L. Gambaro
State Representative
District 65

DLG/mp

MISSOURI
HOUSE of REPRESENTATIVES
JEFFERSON CITY, MISSOURI 65101-6806

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The Honorable Michael K. Powell, Chairman
Federal Communications Commission
445-12th Street, S.W.
Washington D.C. 20544

Docket # 01-348

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02-N815534

CAROL JEAN MAYS
STATE REPRESENTATIVE
DISTRICT 50
State Capitol . Room 205
Jefferson City, MO 65101-6806
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Independence. MO 64052
Home: 816 • 353-4950

MISSOURI
HOUSE OF REPRESENTATIVES

May 15, 2002

The Honorable Michael K. Powell, Chairman
Federal Communications Commission
445-12th Street, S.W.
Washington D.C. 20544

Dear. Honorable Powell:

I support the pending ECHOSTAIUDIRECT TV merger pending before the FCC Docket # 01-348, because it will provide many benefits to consumers urban and rural by providing an effective and viable alternative to cable companies that continue to have monopoly power in every market they serve.

The merger will benefit the consumer because they will receive more programming choices, and competitive pricing. The educational choices will benefit our children; and schools will have more opportunities for more educational and foreign language programming. I understand that interactive TV will also be made available in schools.

We have many underserved areas in rural areas. The cost to receive direct broadcast satellite TV for the consumer will be the same in rural or urban areas of the state. Today, broadband access is available only for urban and suburban residents reached by cable modem services or the DSL carried over telephone lines. The new company ECHOSTAR will provide an efficient low cost alternative. It will bridge the digital divide in our rural areas by facilitating the development of affordable, high-speed satellite-based Internet access.

Last the merger will provide more spectrum for ECHOSTAR to use eliminating duplicative programming thus greatly increasing the combined firm's choice of programming and services. I hope you will support the merger.

Sincerely,

Carol J. Mays

Carol Jean Mays
Representative District 50

MISSOURI HOUSE OF REPRESENT

TIM VAN ZANDT
State Representative
38th District

State Capitol • House Post Office
201 West Capitol Avenue
Jefferson City, MO 65101-6806

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The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
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Docket # 01-348

02-N815320

MISSOURI
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TIM VAN ZANDT
Slate Representative
District 38

May 14. 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street. S.W.
Washington, D.C. 20544

Dear Chairman Powell:

I support the pending ECHOSTAR/DIRECT TV merger pending before the FCC Docket No. 01-348. because it will provide many benefits to consumers urban and rural by providing an effective and viable alternative to cable coinpanics that continue to havc monopoly power in every market they serve.

The merger will benefit the consumer because they will receive more programming choices, and competitive pricing:. The educational choices will benefit our children; and schools will have more opportunities for more educational and foreign language programming. I understand that interactive TV will also be made available in schools.

Wc have many underserved areas in rural areas. The cost to receive direction broadcast satellite TV for the consumer will be the same in rural or urban areas of the state. Today. broadband access is available only for urban and suburban rcsidents reached by cable modem services or the DSL cart-ied over telephone lines. The new company ECHOSTAR will provide an efficient low cost alternative. It will bridge the digital divide in our rural areas by facilitating the development of affordable, high speed satellite-based Internet access.

Last the merger will provide more spectrums for ECHOSTAR to use eliminating duplicative programming thus greatly increasing the combined firm's choice of programming and services. I hope you will support the merger.

Respectfully,

Tim Van Zandt

TVZ:es

MISSOURI
HOUSE of REPRESENTATIVES
JEFFERSON CITY, MISSOURI 65101-6806

Jenee Lowe
State Representative
District 44

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The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 – 12th Street, S.W.
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Docket #01-348
02-N81531

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Fax: 816-926-9246
E-Mail: jeneelowe@planetkc.com

JENEÉ LOWE

State Represenrarive
District 44

May 15,2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D. C. 20544

Dear Chairman Powell:

I'm writing to encourage your support of the ECHOSTAR/Direct TV merger that is pending before the F.C.C. docket #01-348. I support competition for the present cable company monopolies and believe this merger will provide It.

I support die competitive advantage this merger will provide to consumers in the current market and respectfully ask for your consideration on this matter.

Sincerely,

Jenée Lowe

JENEÉ LOWE
State Representative
District 44

COMMITTEES
Vice-Chair: Urban Affairs
Member: Appropriations-Natural & Economic Resources • Critical Issues & Consumer Protection • Transportation
Workers Compensation and Employment Security

City Of Madison
302 E. Dr. Martin Luther King St
P.O. Box 109
Madison, AR 72359

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Michael K. Powell, Chairman
Federal Communications Commission
445- 12th Street, SW
Washington, DC 20554

Docket # 01-348

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TC #02-N81350

City of Madison

James L. Brooks, Mayor

May 28, 2002

Michael K. Powell, Chairman
Federal Communications Commission
445- 12th Street, SW
Washington, DC 20554

RE: The Resolution No. 5 (In support of the EchoStar Petition to the Federal Communications Commission Re Merger) under FCC Docket No. 01-348

Dear Mr. Powell:

The City of Madison strongly supports the resolution on the merger involving the EchoStar Petition. We also believe that the resolution will better serve our communities across the world. We are in great need of enhancements that will better influence the growth of our youth as well as our businesses and any other productivity among us that we see on a day- to- day basis. We hope this merger will eliminate the digital divide between the have and the have- nots.

In closure, our support for the resolution is strongly enforced. Please feel free to contact us at (870) 633-2172 or (870) 630-0935- FAX if you need any information.

Thank you.

Mayor James L. Brooks

CRAIG K. JONES
37700 N. [illegible]
WESTPORT

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Federal Communications Commission
Michael Powell, Chairman
1919 M Street, NW
Washington, DC 20554

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Docket # 01-348

02-N82316/Closed

Mail Room Mail Date

CKJ

May 28, 2002

Federal Communications Commission
Michael Powell, Chairman
1919 M Street, NW
Washington, DC 20554

Dear Chairman :

I am writing to express my very strong concern and opposition for the possible merger of DISH Network and Direct TV.

The merger of these two companies will effectively eliminate choice and competition, especially for people who live in rural areas. I live in a very remote, rural area in California. We do not have cable TV, DSL, or any other modern conveniences like these, that are now commonly found in larger communities. Having two separate "dish type" providers allows me to chose my provider. If I don't like the service of one, I can switch to the other, as I have actually done. If DISH Network obtains Direct TV, I will have no choices, there will be no competitive market here, and if I am unsatisfied I will have only two choices a) get over it, b) don't have TV reception.

I feel very frustrated when I have no choice as to who I do business with. It's bad enough that you can't choose your energy or local telephone provider. Encourage and protect competition. Encourage and protect choice. **Please do not take another choice from me. Deny the merger between DISH Network and Direct TV.**

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Sincerely,

Craig K. Jones

37700 NORTH HIGHWAY ONE • WESTPORT, CA • 95488
PHONE/FAX: 707-961-0968

BASA
BUCKEYE ASSOCIATION OF SCHOOL ADMINISTRATORS
8050 North High Street
Suite 150
Columbus, Ohio 43235-6486

The Honorable Chairman Michael Powell
Chairman Federal Communications Commission
445 Twelfth Street S. W.
Washington, DC 20554

Docket # 01-348

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02-N822329

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BASA
BUCKEYE ASSOCIATION OF SCHOOL ADMINISTRATORS

February 4, 2002

The Honorable Chairman Michael Powell
Chairman Federal Communications Commission
445 Twelfth Street S.W.
Washington, DC 20554

Dear Chairman Powell:

BASA believes that a pending merger of EchoStar and Hughes announced on October 28, 2001, will provide significant, tangible benefits to Ohio consumers and most importantly children in Ohio's rural areas. The merger will allow EchoStar to provide meaningful competition with cable and telephone companies as a virtual third line into the home for a bundle of video/data/Internet services.

Competitively priced, high-speed Internet access via satellite will particularly benefit those in rural areas, especially businesses and schools that do not have access to cable modem service or **DSL.** The merger will also help bridge the digital divide without the need for government loans that are currently being requested by various cable and telephone providers.

Ensuring equal opportunity for all of our students must remain our State's top priority in today's changing economic world. Students need to have skills that will make them marketable and successful. A key component for quality 21st century education will be having access to and taking advantage of opportunities that the Internet provides.

Thank you for any assistance.

Respectfully,

Dick Maxwell

Dick Maxwell
Executive Director

8050 North High *Street* e Suite **150** is Columbus, Ohio 43235 e Phone (614) 846-4080 e Fax (614) 846-4081 e http://www.basa-ohio.org

GOVERNOR WILLIAM J
STATE CAPITOL, 500 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-5070

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Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

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Docket # 01-348

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02-N82200

STATE OF SOUTH DAKOTA

WILLIAM J JANKLOW. GOVERNOR

January 24,2002

Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Mr Powell:

The pending merger between EchoStar Communications and Hughes Electronics, over which your agency has regulatory approval, is an important and significant step in the provision of pay television in our country and in my State of South Dakota.

As Governor of South Dakota, and as a former State Attorney General, it has always been my first priority to look after the interests of our state's citizens. The merger between America's two largest satellite television providers, DISH Network (Echostar) and DirecTV (Hughes), can be a benefit to our citizens as consumers if implemented properly. I hope you will evaluate the benefits of the merger on its merits and adopt a plan that ensures competition in the pay television industry as a whole and protects those subscribers with no pay television alternatives.

There are approximately 68,000 households in South Dakota that subscribe to pay television from satellite providers, primarily DISH Network and DirecTV. While many of these customers have cable television as a competitive option for service (and will have after the merger), many do not. In many of our small towns and rural areas, satellite-based pay television is the only option. In order for all consumers to continue to receive the benefits of competition in the pay television industry, it is vital that the merged EchoStar entity price its services, as they do now, on a nationwide pricing basis. In so doing, all consumers benefit from the satellite-based television prices that are determined by taking into consideration the extensive competition that exits in most areas of the country.

The potential benefits of the proposed merger, such as enhanced services and more local station broadcasts, are considerable. They should be intensively evaluated along with a nationwide pricing model that will help ensure competitive prices in states like South Dakota.

Thank you for your consideration of my policy views on this pending merger.

Sincerely,

William J. Janklow

WJJ:dpr

EXECUTIVE OFFICE

STATE CAPITOL
500 EAST CAPITOL
PIERRE. SOUTH DAKOTA
57501-5070

605-773-3212

FARM BUREAU LOUISIANA
"Voice of Louisiana Agriculture"

Louisiana Farm Bureau Federation, Inc.

P.O. BOX 95004 • 9516 AIRLINE HIGHWAY
BATON ROUGE, LA 70895-9004

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BATON ROUGE LA

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Chairman Michael Powell
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

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Docket # 01-348

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FARM BUREAU LOUISIANA
"Voice of Louisiana Agriculture"

Louisiana Farm Bureau Federation, Inc.

PO BOX 95004 • 9516 AIRLINE HIGHWAY
BATON ROUGE LA 70895 9004 . PH 2251922 6200

January 25,2002

Chairman Michael Powell
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

RE: Docket No. 01-348

Dear Chairman Powell:

As you know, the proposed merger between Echostar and Hughes Electronics has the potential to bring new and exciting benefits to Louisiana's rural residents. Let me say that as an organization, Louisiana Farm Bureau wholeheartedly supports this proposed merger.

Rural residents in Louisiana stand to benefit from this merger in two ways: First, the new company will be able to provide digital services that up until now were only available to urban residents. Internet and broadband services would now be offered at competitive rates, thereby allowing rural residents the chance to overcome the "barrier of access" to these important services.

Second, it would benefit those who get much of their farm news from the Farm Bureau's television program, *"This Week in Louisiana Agriculture."* Our program currently reaches most of its satellite viewers on the Dish Network station "RFD-TV." Since RFD-TV is one of the channels that would benefit directly from the merger, it means more rural residents would have access to our program and, therefore, greater access to news that affects them directly.

I would ask that you give serious consideration to the proposed merger. Your support will mean greater connectivity to rural residents. I would be happy to speak to you at greater length on this matter. Thank you for your consideration.

Sincerely,

Ronnie Anderson

Ronald Anderson
President

RA:bwm

President
RONALD ANDERSON
PO Box 25, Line Road
Ethel La 70730

1st Vice-President
TED GLASER
PO Box 61
Oscar La 70762

2nd Vice-President
BRYAN MITCHELL
2105 Camp Zion Road
Doyline La 71023-9525

3rd Vice-President
LINDA G ZAUNBRECHER
29405 Burnell Rd
Gueydan La 70542

Secretary-Treasurer
JACKIE THERIOT
505 Martin Rite La 70582

WAYNE WADDELL
LOUISIANA HOUSE OF REPRESENTATIVES
District 5
9260 Ellerbe Road
Shreveport, Louisiana 71106

SHREVEPORT LA 71 15 MAR 2002 13343-03/08-02-1

UNITED WE STAND

The Honorable Michael Powell
Office of the Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

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02-N 022229

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STATE OF LOUISIANA

HOUSE OF **REPRESENTATIVES**

WAYNE WADDELL
District 5

Environment
House and Governmental Affairs
Chairman. Rural Caucus

March 8, 2002

The Honorable Michael Powell
Office of the Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Docket reference #01-348

Dear Chairman Powell

I have and continue to work with large rural areas of our state as the Chairman of the Rural Caucus for the Louisiana Legislature. The purpose of my letter is to state that I believe that the proposed merger between Echostar and Hughes Electronics could bring unique and exciting benefits to our rural citizens.

Many times one of the biggest hurdles in economic development in the rural areas is overcoming the so-called "digital divide" that exists between urban and rural residents. The combined company will be able to provide high-speed satellite Internet and broadband service to rural America at prices competitive to what urban customers pay using cable or other wired services. By having this improved service many in the rural community could overcome the barrier of access and this will benefit our schools and businesses in the rural area.

This merger has the potential to greatly improve competition in two markets: pay TV and high-speed Internet access. The merged company will he able to eliminate duplicative programming within the much broader spectrum that will he available to it. It will offer local-to-local broadcasting to all markets and enable everyone to be on a more level footing for both television and Internet customers. This is our opportunity to remain competitive and proved opportunities for rural residents to stay in touch with the newest technology in the world. This system will work because it is pro-consumer, pro-conipctition, and affordable for everyone involved.

Again, I ask you to support the EchoStar/Hughes Electronics merger and enable satellite technology to benefit rural Americans throughout. our state.

With my kindest personal regards, I remain

Sincerely yours,

Wayne Waddell

Wayne Waddell

WW / ksh

CSE
CITIZENS FOR A SOUND ECONOMY FOUNDATION
1250 H Street, NW, Suite 200 Washington, DC 20005 (202)

0.34

The Hon. Michael Powell
Chairman, FCC
445 12th St SW
Washington, DC 20554

Docket #01-348

02-N8221

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CITIZENS FOR A SOUND ECONOMY FOUNDATION

January 30. 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street. S.W.
Washington, D.C. 20554

Re: Proceeding 01-348

Dear Chairman Powell:

In the near future your agency will have the opportunity to let the proposed merger of EchoStar and DIRECTV proceed without delay or crippling conditions. On behalf of the 300,000 members of Citizens for a Sound Economy, I encourage you to take advantage of that opportunrty. The merits of the merger certainly pass the public interest test and non-interference with it would also be welcome recognition of the property rights of the affected shareholdew.

Satellite TV has provided a welcome competitive alternative to cable in the pay-TV market. The combined EchoStar and DIRECTV could make much more productive use of their now redundant broadcast spectrum and expand their competition with cable.

Since the two prcposed merger partners represent approximately 90 percent of the still young satellite TV industry. some critics might ask you to block the merger on the narrow grounds that it would sharply reduce competition in the satellite TV market, while ignoring the expanded competitive benefits the merger would bring to the much larger pay-TV market.

Blocking the merger or unreasonably burdening it with conditions on the grounds of preserving competition in the satellite TV market would be unwarranted for two reasons: First, it presumes that no new technology will appear to compete with satellite. This presumption ignores the history of satellite itself, which was developed as a competitive technology to cable. And second, the combined satellite firm could compete with cable's lower cost structure and huge edge in national broadband deployment. The combined company would also have the critical mass of subscribers to qualify for the discounts that programming providers now give to the biggest cable companies.

For the sake of perspective, let's also keep in mind that EchoStar and DIRECN between them can only claim 18 percent of the national pay-TV market, while the

1250 H Street, NW, Suite 700 ♪ Washington, DC 20005-3908 ♪ PH 202 783-3870 ♪ FX 202 783-4687 ♪ 1-888 JOIN-CSE ♪ www.csef.org

big cable companies hold 78 percent. Approval of this merger would not only bring more competitive choice to consumers. it would be a welcome endorsement by government of the free enterprise system.

Sincerely

Jason Thomas
CSE Staff Economist

Docket # 01-348

02-N81533

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MARSHA CAMPBELL
MISSOURI
HOUSE OF REPRESENTATIVES
State Representative
District 39
House Post Office – State Capitol
Jefferson City, MO 65101

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The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20544

MARSHA CAMPBELL
State Representative
District 39

District Phone
(816) 363-8474

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May 14, 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20544

Dear Chairman Powell:

I encourage you to support the ECHOSTAR/Direct TV merger that is pending before the F.C.C. docket #01-348 and the D.O.J. Consumers will benefit from the merger because the new merged company will provide true competition to the monopolies the cable companies enjoy today. Just as important the new company ECHOSTAR will be in a greater position to offer:

- Better services
- More choices
- More competitive pricing

The merger will "free up" spectrum currently used by the two companies because duplicative programs will be eliminated. As a result more program choices will be offered. Some other benefits will be to bridge the "Digital Divide" between urban and rural residents. Competitively priced high-speed internet access via satellite will particularly benefit those in rural areas, especially businesses and schools, that do not have access to cable modem service of DSL.

The merger will mean more competition not less for all consumers. As a result of the merger the cable companies too, will have an economic incentive to provide better services, more programming choices and be competitive. I hope you will support the merger.

Respectfully,

Marsha Campbell
District 39

MC:hrs

COMMITTEES: Joint Committee on Administrative Rules – Chairman • Budget • Appropriations – Social Services & Corrections • Urban Affairs • Ways & Means

STATE SENATOR
Joel C. Heitkamp
District 27
9457 West Ridge Road
Hankinson. ND 58041

FARGO ND 58102 #2 01/31/02 21:54

CHAIRMAN MICHAEL POWELL
FEDERAL COMMUNICATIONS,;
COMMISSION
445 12TH ST SW
WASHINGTON DC 20554

Docket # 01-348

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Senator Joel C. Heitkamp
District 27
9457 West Ridge Road
Hankinson, ND 58041

NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

Assistant Minority Leader
COMMITTEES:
Appropriations

January 30, 2002

Chairman Michael Powell
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Proceeding # 01-348

Dear Chairman Powell:

I am writing in regard to the "digital divide" that exists in a rural state like ours – North Dakota. I know your agency has worked on this issue for some time and we appreciate your efforts. I am writing to you because I see an opportunity to help close the "digital divide" for those of us who choose to live in rural America.

As a State Senator, I am very interested in building a better North Dakota – including closing this technology gap that exists for rural America from the rest of the country.

I have read information lately concerning the joining of DirecTV and Dish Network to form EchoStar – a company poised to provide high-speed broadband Internet access to virtually everyone regardless of geography. This would have a tremendous benefit for our rural citizens, small businesses, and our state. Where I live is not unlike other North Dakotans – in a rural community We cannot get high-speed DSL. We cannot get high-speed Internet via a cable company. But being able to get high-speed, affordable Internet through EchoStar would be a great benefit for rural Americans.

I hope you will see the benefits of this merger and will support it. This will have profound positive effects on rural America.

Sincerely,

Joel Heitkamp
North Dakota State Senator

Avenson & Oakley Consulting
418 - 38th Place
Des Moines, Iowa 50312-2804

DES MOINES IA 503
PM
12 MAR 2002

PHILATELY
THE FAMILY
HOBBY

MAY 18 2002

Mr. Michael K. Powell, Chair
Federal Communications Commission
445 – 12th Street SW
Washington DC 20554

Docket # 01-348

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Brice Oakley
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(F)515255.1899

March 8, 2002

Mr. Michael K. Powell, Chair
Federal Communications Commission
445 – 12th Street SW
Washington DC 20554

Re: 01-348

Dcar Mr. Powell:

We have had the opportunity to study the proposed merger between ECHOSTAR Communications and Hughes Electronics Corp. We recommend your favorable consideration.

We believe the advantages are compelling including more programming choices, greater access for urban and, very importantly, rural areas, as well as lower costs for consumers.

Sincerely,

Don Avenson

Brice Oakley

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HOUSE DISTRICT 55

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2002

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Michael-K: Powell
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Washington, D.C. 20554

Docket # 01-348

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The Big Sky Country

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COMMITTEES:
APPROPRIATIONS

January 31, 2002

Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington D.C. 20554

Dear Chairman Powell:

The pending merger of Echostar and Hughes announced on October 28, 2001, would provide significant, tangible benefits to American consumers, particularly in rural markets, by providing an effective and viable alternative to cable companies who have virtually ignored much of rural Montana because they have a monopoly power in virtually every market they serve.

Efficiencies resulting from the merger will enable the new company, which will be named Echostar and use the Direct TV brand, to provide stronger competition to the entrenched cable firms that now control more than 80% of U. S. pay television households.

The New Echostar will provide more local television channels and high speed Internet. In fact, the New Echostar has committed to providing each state with at least one local market of full programming. For Montana, that means the entire state would have access to all of the television stations broadcast in Missoula, which included the MTN News Network. Without the merger, satellite television will have limited bandwidth to provide local programming to only 80 of the total 211 television markets in the country. Montana's biggest television market stands at 169 on the list. Glendive, Montana holds the dubious distinction of being the smallest market in the country, standing at 211. Clearly, Montana, based on its low rank on the television market totem pole, would never receive any local programming by satellite without this merger.

Currently each satellite company must buy programming separately. (i.e., Disney, CNN,

A&E, Discovery channels). Therefore, each company duplicates program offerings, using precious bandwidth that could be directed to more local programming and high speed Internet. By having more capacity, the new company can offer these services at more competitive prices, regardless of whether or not the consumer has access to cable.

The merger will allow Echostar to provide meaningful competition with cable and telephone companies as a virtual third line into the home for a bundle of video/data/Internet services. Competitively priced, high-speed Internet access via satellite will particularly benefit those in rural areas, especially businesses and schools that do not have access to cable modem service or **DSL.** The merger will also help bridge the digital divide without the need for government loans that are currently being requested by various cable and telephone providers.

Since its inception, direct broadcast satellite TV providers have offered uniform nationwide pricing structures, and Echostar has guaranteed that it will continue this practice. Nationwide pricing offers pricing offers customers in rural America the full benefits of the rigorous competition occurring in urban and suburban areas. The combined company will also generate economies of scale and other efficiencies, such as lower costs for programming, administration and operations that would reduce overall operating costs. By increasing competition with cable, the merger will force other video providers to increase their competitiveness-in price quality and service-to the benefit of consumers across the country.

Without the merger, neither Echostar nor Hughes will have the satellite bandwidth **or** economies of scale in the foreseeable future necessary to expand high speed Internet services and local network TV channels to rural America. However, by combining **the** Echostar and Hughes' customer bases and satellite resources, the new company can spread the cost of offering these services over the entire subscriber base. This reduces the company's multi-billion dollar financial investments, and with these costs savings, the new company can offer more competitive, uniformly price services.

On behalf of Montana's rural communities, and rural communities across this country, we encourage you to approve the Echostar/HughesDirecTV merger.

Sincerely,

Dave Lewis