

From: "Maria Maranville" <dtedish@earthlink.net>
To: <mpowell@fcc.gov>
Date: Fri, Oct 11, 2002 7:18 AM
Subject: Echostar merger

RECEIVED

OCT 23 2002

01-348

Hello,

This is absolutely unbelievable that the FCC would not recommend the approval of the merger. Why are you protecting the cable companies at the cost of billions to the consumers. The cable monopolies are gouging the consumers at a shocking rate and this merger is the only hope for consumers. Echostar has a record of charging fairly in contrast to the cable companies who have taken advantage of their monopoly and have huge increases in rates which are not justified because costs of programming has come down during these increases. If you are going to do this at least force broadcast stations to transmit a strong enough signal that they can be received without cable and stop the lockout of echostar from providing networks. What are you people thinking? The consumer needs help not stronger monopolies. Heads need to roll in the FCC for this action. Obviously, Murdock and the other cable moguls have gotten to this agency. I hope the justice department does an investigation of your agency and watches the money flow to your people from taking this action.

01-348

From: <PESTANDISH@aol.com>
To: <mpowell@fcc.gov>
Date: Tue, Oct 8, 2002 3:21 AM
Subject: Hughes - Dish Network merger

OCT 23 2002

Federal Communications Commission
Office of Secretary

Mr. Powell:

This one seems very obvious to me. With their major satellite competitor out of the way they can raise rates at will. Most cable and satellite rates are higher than they should be, please don't encourage it by allowing this merger.

A Taxpayer and DirecTv customer

From: "Kevin Poore" <kevlboore@directvinternet.com>
To: <mpowell@fcc.gov>
Date: Tue, Oct 8, 2002 11:44 AM
Subject: Dish/Directv Merger

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01-348

OCT 23 2002

Federal Communications Commission
Office of Secretary

Mr. Powell,

With his latest proposal Charlie Ergen is in actuality admitting his only reason for attempting to purchase Hughes electronics is to rid himself of competition. He's indicated that he's willing to bet that reduced 'synergys' will still make the deal profitable when he knows that no competition and higher prices is what will in reality do it for him. He knows that he can stall and/or attempt to ignore any attempts to 'purchase' his transponder space. He will not follow through. He never has.

Thank you for your time
Kevin L Poore

From: Anthony Lorenzo <alorenzo@levinco.com>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Tue, Oct 8, 2002 12:09 PM
Subject: Echostar/Hughes Deal

01-348
OCT 23 2002

Do you think any of the recently announced concessions by Echostar will improve the chances of this deal getting completed? What are some of the issues the FCC has with allowing this deal to happen? Is satellite considered that different from cable and would it be better or worse for consumers to have a stronger, national competitor, regardless of technology to cable (namely Cablevision)?

Thanks for the time. I think you have been a very successful chairman thus far.

AFL

Anthony F. Lorenzo
John Levin & Co.
1 Rockefeller Plaza
New York, NY 10020
Tel (212) 332-8336
Cell (917) 822-7788
alorenzo@levinco.com

01-348

From: "Restivo Law Firm" <restivolawfirm@netzero.net>
To: <mpowell@fcc.gov>, <kabernat@fcc.gov>, <mcopps@fcc.gov>, <kjmweb@fcc.gov>
Date: Tue, Oct 8, 2002 4:46 PM
Subject: Echostar-Hughes Merger

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Howdy:

OCT 23 2002

I don't get it. The complaint from FCC and Justice seems to be that the merger of Dish Network and DirecTV would create a monopoly. Huh?

Monopolies can only exist as a result of Governmental action. Monopolies NEVER exist in a free market. Even the much touted, but erroneous example of Standard Oil wasn't a monopoly. At the time of Standard Oil's breakup, its market share was about 60% and declining. And, neither is Microsoft.

As stated, only governmental action can create a monopoly. So, for example, forcing me to watch the local network affiliate, rather than the Los Angeles stations (which is actually my preference) is a monopoly.

And, the fraud of claiming "consumer protection" doesn't hold water, either. It does not protect me from the evil Ergen empire to limit the number of channel options, the local channel access, or the potential of high-speed internet. Given my option, I would much rather be exploited by Echostar-Hughes (an efficient market participant that actually provides a service for my money) than by Washington (a bloated bureaucracy that sucks up money and limits my consumer choices).

The FCC-Justice argument that we'll no longer have competition in the "satellite" TV market doesn't make much more sense. Before Echostar and Hughes ... uh ... launched, if you will ... the satellite TV industry, our only choice was actually a monopoly. We could watch the broadcast channels government had assigned for us. or we could pay for the cable company, which government picked for us. Where exactly was the competition in that set-up? And, with the Broadcast Television via Satellite Protection Act, I do not have the opportunity to choose the network affiliate I wish to watch. I can watch the governmentally imposed channel, or I can do without. Consumers are protected exactly...how?

If consumer protection were the goal, we would have true competition. I would be able to choose among the several cable or satellite companies, or watch off-air programming. I would have the choice of NBC from Denver, ABC from Seattle, and CBS from Los Angeles...or not. Or any combination of the affiliates across the country. But, why limit me to one NBC? Why not allow be to pick New York, New Orleans, and New Brunswick? Wouldn't it be best for the consumer to expand choices? Wouldn't it be better for NBC?

Oh...yeah. We must protect the great legacy of FREE TV (please imagine an echo effect). Of course, to do this, we must forget the history and development of free broadcast TV. NBC ... and, its spin-off ABC ... *were* formed for the sole purpose of SELLING TELEVISIONS! RCA had this great new box. But, without the programming, it was worthless. Presto! Free to the television purchaser, broadcast stations. No-cost broadcast television was a marketing ploy to sell the idiot boxes. That's it.

And, you expect us to buy the bigger is badder argument?

AOL-Time-Warner ... the largest cable TV operator isn't bad? Oh, yeah, it's an approved monopoly, isn't it. So, because traditional cable television already has government approval, we needn't worry about the power a company of that size ...with a real captive audience. That doesn't even make sense!

From reading the stories in the Wall Street Journal over the last few days, it is very clear that the FCC and Justice are more concerned with the "what's in it for me" than with any time of concern for the consumer. Yesterday's Journal (October 7) said that the deal was doomed, "...without major concessions ..." by Echostar. So, unless Ergen coughs up the protection money, the government will kill the deal. And, Echostar will have to pay Hughes \$610 million. That is, I'll have to pay ... me and the other several million Dish subscribers. That's the crux of this entire situation. Inaction ... or, ill-action ... by the FCC will cost me over \$70. All because the government didn't get something out of the deal.

My suggestion is for the government to get ... OUT ... of the deal
That's what is best for this consumer.

Robert K. Restivo, Esq.
7517 Billo Drive
Grape Creek, Texas 76901
(915) 465-4422 (v/f)
<http://restivolaw.tripod.com>
<http://electrestivo.tripod.com>
<http://tgclp.tripod.com>
AOL IM: restivolaw
MSN Messenger: restivolaw@hotmail.com

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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

01-348

From: "Jerry Almas" <galmas@earthlink.net>
To: <mpowell@fcc.gov>, <kabernat@fcc.gov>, <mcopps@fcc.gov>, <kjmweb@fcc.gov>
Date: Tue, Oct 8, 2002 5:56 PM
Subject: Hughes and Echostar

Please do not let the merger between these two companies happen. There are currently two companies providing satellite TV service. If the merger happens that would leave one, then they could do whatever they wanted. Without competition, service suffers and prices tend to rise. The current environment where we have two satellite providers and a cable company to choose from is great. I would personally like to see even more competition because the products would get better. For example, programming would improve because they would try to one up the other, service would be better to prevent losing their existing customer base and prices would not rise as dramatically. Please block this merger and keep the competition strong.

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OCT 23 2002

Federal Communications Commission
Principal Secretary

Gerald J. Almas
12148 St. Andrews Place Apt 107
Miramar, Florida 33025
galmas@earthlink.net

01-348

From: Art Faust <ankie@seidata.com>
To: <mpowell@fcc.gov>
Date: Tue, Oct 8, 2002 11:57 PM
Subject: Echostar 8 Directv merger

OCT 23 2002

I took Directv in about 1993 and used it till July 1996 when I switched to Dish and everything Mr Ergan has said on his chat has been done and I as a subscriber believe him but if this deal goes belly-up I am afraid that Rupert Murdoch will take over Directv and that is one of the worst things that happen to the customers since as unscrupulous as he is he would probably run Dish out of business since he has almost single handedly taken control of all sports on TV. How this scum was allowed to buy American airwaves is beyond me since he had a trashy reputation in his homeland and now his programming leaves a lot to be desired.

You are afraid that there will be limited competition if they merge just wait till Murdoch gets his hands in the pot you will see total devistation in the competitive market.

I do hope you will reply to this email because I am curious as to what other factors are involved the decision since I am totally dismay about what will happen in the future.

I was counting on getting sat DSL, but that is looking bad now.

Yes I live way out town in a little town of 300 so this does affect me.

ART FAUST
Box 700
Dupont, IN 47231

01-348

From: steve patterson <tvreception@yahoo.com>
To: <mpowell@fcc.gov>
Date: Wed, Oct 9, 2002 7:22 AM
Subject: DirecTV / Dish Merger

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OCT 23 2002

Federal Communications Commission
Office of Secretary

Dear Mr. Powell,
I thought that the merger between DirecTV and Dish was going to be a rubber stamp approval, but thank God, I see that it may actually fail. I (like many other satellite dealers across the country) have been reluctant to voice our opinions. Even now I use this generic Email address because I fear that any negative voice towards Dish Network may result in retaliatory action from Dish Network. I sell both DirecTV and Dish Network satellite systems. Please don't allow customer choice to be taken away by allowing this merger. The CEO of Dish Network is an individual that can NOT be trusted! As you see he is already trying to say that he will give up some of his spectrum to make this deal happen. This is the spectrum he said he needed by the merger. All of his promises of local channels will come to pass with or without the merger. These two different companies allow dealers and consumers a choice. He is one example of how consumers benefit from the choice. Dish Network controls all of the equipment they sell, where DirecTV allows other companies to build, design, and sell the equipment. As a result, if a Dish Network customer needs to buy a replacement receiver, they must pay \$ 150 to \$ 200 for a standard receiver. A DirecTV customer can select one of several brands starting at about \$ 45. If you would like the opportunity to speak with someone that is in this business and can explain how DirecTV and Dish really do give the consumer more options as two separate companies, I would be willing to speak with you. You could give me contact information by replying to this email. Please do everything possible to keep these two companies apart. When do consumers benefit by having only one choice?

Steve (last name withheld)

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01-348

From: Jennifer Kingland <Jen@iowarealtors.com>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Wed, Oct 9, 2002 10:14 AM
Subject: Echostar/Hughes Merger

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OCT 23 2002

Dear Chairman Powell:

I am writing on behalf of the Iowa Association of REALTORS in support of the Echostar/Hughes merger. This merger would bring high speed internet and television provider options to many rural areas that are currently deprived; of these types of services. It is becoming increasingly more frustrating for our customers to realize that they do not have access to these basic services that are so readily available in other areas. Many urban communities have had access to high speed internet and different television providers for years, but unfortunately people in more rural areas continue to wait for their local providers to catch up. We believe it is time to give our customers the same opportunities afforded to our urban neighbors.

The members of the Iowa Association of REALTORS respectfully request a public hearing on this issue before a decision is made to ensure that all public concerns are addressed. Thank you for your consideration.

Sincerely,

Jennifer Kingland
Government Affairs Director
Iowa Association of REALTORS
jen@iowarealtors.com
(515) 453-1064

01-248

From: "s s" <ssdh@bellsouth.net>
To: <mpowell@fcc.gov>
Date: Wed, Oct 9, 2002 2:48 PM
Subject: DISH/Direct TV

RECEIVED

OCT 23 2002

You say you think Dish will have no competitors. Well, sir, in my town, CABLE has no competitors. So WHAT?

Give DISH the right to use cable, and cable the right to use DISH. What stupidity.

How about letting DISH buy DIRECT and better compete with cable in my town?

Better yet, how about insisting that Cable One, my provider, have direct cable competition? Or, either Cable One establish a COX competitor in my town or give up \$15/month in subscriber fees.

This whole thing is a sham. There is no competition for cable. That's why the price keeps going up. Want to know why their profit is so low? Look at where the money goes. Specifically, more exorbitant Sr. Executive salaries.

Please, please, give me some viable competitors

Sincerely
Stephen O. Shipley
Anniston, Alabama

From: "F. Gagne" <jitter@attbi.com>
To: <mpowell@fcc.gov>
Date: Wed, Oct 9, 2002 6:12 PM
Subject: Echo Star/Direct tv merger

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OCT 23 2002

Federal Communications Commission
Office of Secretary

01-348

Dear FCC:

I am hoping and praying that the FCC does not permit this proposed merger between the two satellite companies. If the merger takes place, then the satellite industry will have no competition within itself, and that is bad news for the consumer.

It is ludicrous for the satellite companies to pretend that they are not already competition for the cable companies, when indeed they certainly are. They are taking business away from the cable companies, but that has not helped cable consumers realize lower prices. Probably just the opposite.

I am very concerned with giant companies in any industry because not only does it hurt the consumer with higher prices and no place else to go for relief, but it prohibits smaller companies from getting into the business.

I hope the FCC refuses this merger

Thank you.

Faith Gagne
Concerned satellite customer

01-348

From: <Mario_Prudencio@amat.com>
To: <mpowell@fcc.gov>, <kabernat@fcc.gov>, <mcopps@fcc.gov>, <kjmweb@fcc.gov>
Date: Thu, Oct 10, 2002 11:08 AM
Subject: Dish - Direct TV merger

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OCT 23 2002

Federal Communications Commission
Office of Secretary

Dear FCC.

I am writing in support of the merger. We need this combined company. I believe Satellite TV service has proven it's value to the consumer; with a combined customer base of almost 17-Million viewers - most of whom were persuaded to "switch" because of dissatisfaction with their Cable provider. I switch from cable way back in 1997 and I will never go back to cable

The KEY factor here - and I think it cannot be stressed enough -is that the *two* Satellite providers are in direct competition with the COMBINED POWER of the Cable providers - but for MOST viewers, the Local Cable provider IS already a Monopoly...The consumers only choice is between ONE Cable Monopoly, and two Satellite providers - who are forced to compete against each other, AND an entrenched Cable provider already enjoying a "Protected Local Monopoly!"

Make no mistake. were it not for the emergence of Satellite Service, the Cable Providers abuse and extortion of the consumer (you and me!) would be even more horrendous than its' current, well documented, dismal record.

If the two Satellite companies are kept divided, it will not be the consumer who benefits, but the Local Cable company. I submit, that without the merger, *in* a very short time-span there will be only ONE Satellite Provider. DirecTV, despite having the larger share of subscribers, is already in dire straits. Unless it receives a financial transfusion, and some way to decrease costs, while expanding its capabilities, its survival is unlikely. An Echostar-DISH-DirecTV vs. the combined Cable Cartel makes the most sense.

In the end, it doesn't matter if you are presently a DirecTV Subscriber or a DISH Network Subscriber, the key is that you are a Satellite Subscriber

Please approve this merger, We need these companies to merge to avoid the cable providers to continue their abuse. Also these would be the best way to speed the transition to HDTV.

Thanks for your time.

Mario Prudencio
 Austin, Texas,
 512-272-2806

01-348

From: "Rosemary Hennessy" <rch@camano.net>
To: <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 12:33 PM
Subject: DISH and DIRECTV merger

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OCT 23 2002

I was delighted to read today's story in the NY Times reporting that the FCC will not approve the proposed merger.

I am a customer of DIRECTV and previously had used DISH Network and have argued for the consumer's right to choice - not just based on price alone - but considering quality of service.

Thank you

Rosemary Hennessy
Camano Island WA

01-348

From: Brent Jones <wbjones1@yahoo.com>
To: <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 1:30 PM
Subject: DirecTV/ Ecostar decision WRONG

Thanks for letting the CABLE MONOPOLY WIN!!!! I have to pay Comcast Cable for Local channels instead of DishNetwork, because I live in an area that does not pick up signals well with rabbit ears. I cant believe that you let Corncast and ATBT merge but not Directv and Dishnetwork. This is a wrong decision and I have no faith in the FCC! Thanks for letting us Consumers down.

William B Jones

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OCT 23 2002

Federal Communications Commission
Office of Secretary

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01-348

From: "Greg Schauer" <grschauer@earthlink.net>
To: <mpowell@fcc.gov>, <kabernat@fcc.gov>, <mcopps@fcc.gov>, <kjmweb@fcc.gov>
Date: Thu. Oct 10, 2002 1:58 PM
Subject: Direct TV/Echostar Merger

Hello,

Ive been following this subject in the Wall Street Journal and am very disappointed that this merger may not be approved, First I find it VERY disturbing that the lobbying is being done extensively by a company that was second in the bid for Direct TV. I find that and the opposition by satellite competitors appalling.

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Whos looking out for us. the consumer?

I live in a remote area of WI where satellite is our only option. We can not get local programming for the networks in WI. Instead we can pick an east or west coast feed. This forces us to have an antenna, on a high tower, with rotor and amplifier to try and get locals from Wausau and Rhinelander. Rhinelander NBC will not grant us a waiver so we can not get an NBC feed from Dish Network at all. They feel we should be able to get their broadcast. Of course they dont sit in our living room watching the signal fade in and out! We have a 50/50 shot at decent reception. We can never get a WI Fox on the TV.

If the merger would help us remote TV viewers get some local programming. all networks, why is that a problem? In large markets cable IS the competitor and perhaps the merger will help reduce rates for current cable customers.

Help us out, the consumer and not a company that is looking at their own interests.

Thank you

Greg R Schauer
N16685 Lakeshore Drive
Butternut, WI, 54514
715-762-0008

From: "Tom Fowler" <tfowler@fiboxusa.com>
To: <mpowell@fcc.gov>
Date: Thu. Oct 10, 2002 2:18 PM
Subject: Echostar

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OCT 23 2002
FEDERAL COMMUNICATIONS COMMISSION

01-348

Mr Powell,

I was very disappointed to here that you recommended against the Echostar/Directv merger. It is obvious that the Cable TV PAC has gotten it's way. Once again a viable competitor to the giant monopolistic cable companies is squashed by the Federal Government. How is it competitive to have only one cable company in a market? How is that the cable companies are able to buy up any small competitor but, when a TRUE alternative appears the government steps in and throttles their ability to give the cable companies a "run for their money"?

It is obvious that you have never had to deal with the substandard service the cable company grudgingly offers. Or, had a cable employee tell you "where else are you going to go?"

In a supposedly "free market" society why will you not let the market be free?

Best regards,
Tom Fowler
958 Chesney Lane
Bel Air, MD 21014

01-348

From: "Briseno, Ramona" <RBriseno@fhldm.com>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 2:20 PM
Subject: Dish network, Directv merger.

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OCT 23 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CFOFF

OCT 23 2002

I disagree that the merger of Dish network & DirecTV would cause a monopoly for television viewers. For too long the cable companies have created a monopoly.

In smaller markets you have only one cable company to choose from

Even here in Des Moines with out suburbs the population is around 400,000. We have one cable company, who is expensive and until recently was limited on the number of channels. Recently they told people they had to upgrade from the basic package to the digital package just to get HBO.

Satellite is our only other option. With the merger we would be able to **get** our local channels, without the use of an antenna or getting cable. since they passed the law not allowing satellite users to get out of market national networks.

Des Moines and other small markets are therefore denied our local networks because you think the merger would cause a monopoly. The cable companies. again I say have the monopoly.

Many rural areas would be able to get all the Major Networks for the first time if the merger occurs. Please rethink this.

Sincerely,

Ramona Briseno

~
Ramona Briseno
Cash Manager
Federal Home Loan Bank of Des Moines
800.544.3452, ext 1087 or 515.281.1087
Fax 515.281.1191
www.fhldm.com

01-348

From: "Hawkins. John A T" <john.a.t.hawkins@intel.com>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 2:25 PM
Subject: FCC DECLINES TO APPROVE ECHOSTAR-DIRECTV MERGER

RECEIVED
 OCT 23 2002
 Federal Communications Commission
 Office of Secretary

Greetings Mr. Powell,

I am disappointed with the decision of the FCC to decline the merger of Echostar and DirectTV. I am a current 4 year subscriber to Echostar. I made the change while in a single cable company market, that had exactly what is stated in your rejection, higher prices with poor quality, and service. As this could be the case if this merger was approved, I find it difficult to believe that measures could not be made to reduce or eliminate that from occurring. Since the time of the switch from cable to Echostar, I have moved to a remote location where satellite is the only available source of programming.

As a consumer, Echostar offers better quality than DirectTV. while Direct TV offers select programming that is not available to Echostar customers. I know this because 3 of my relatives have Direct TV service, while one relative and I have Echostar. In addition to the differences, it seems that this merger would free bandwidth to offer local programming for the same cost as current rates and possibly offer high speed internet access at reasonable rates. Currently if I wanted a DSL. then I would have to pay \$50 a month for DSL1. This is provided by a single provider and, to the best of my knowledge, I cannot get service from anyone else except satellite. There does not seem to be any competition if satellite charges \$100 for high speed access and DSL is offered at \$50.

As an Echostar customer, I was looking forward to the merger to gain local channels at the current cost rate (granted this is only if Echostar followed through with their online statement), gain the special programming that DirectTV has, and to hopefully see satellite internet service give DSL some competition,

I can clearly see the reasons for the rejection and the need to protect the consumer, however I do not see how it encourages the system to grow effately to compete with cable companies that have the availability of a select marketplace. I am certain that you and your staff have made the best decisions for the welfare of the consumer, and appreciate your work. Hopefully, there could be an improved proposal that would benefit Echostar-DirectTV, and consumers like me that enjoy the service they get. Thanks for your time,
 John Hawkins

From: "Briseno, Ramona" <RBriseno@fhldm.com>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 2:52 PM
Subject: Dish network, DirecTV merger.

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OCT 23 2002

Federal Communications Commission
Office of Secretary

01-348

I disagree that the merger of Dish network & DirecTV would cause a monopoly for television viewers. For too long the cable companies have created a monopoly. in smaller markets you have only one Cable Company to choose from.

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Sincerely,

Ramona Briseno

~
Ramona Briseno
Cash Manager
Federal Home Loan Bank of Des Moines
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