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November 18, 2002

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Via HAND DELIVERY
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *In the Matter of Application of EchoStar Communications Corporation, General Motors Corporation and Hughes Electronics Corporation, CS Docket No. 01-348*

Dear Ms. Dortch:

EchoStar Communications Corporation ("EchoStar") filed its Notice of Appearance in the above-referenced proceeding on November 15, 2002. The Certificate of Service accompanying that filing omitted the other two merger applicants – General Motors Corporation and Hughes Electronics Corporation. As a consequence, and out of an abundance of caution, EchoStar hereby re-submits its Notice of Appearance accompanied by a revised Certificate of Service.

Also enclosed is an additional copy of EchoStar's Notice of Appearance with the revised Certificate of Service which we **ask** you to date-stamp and return with our messenger.

If you have any questions, please do not hesitate to contact me

Sincerely,



Rhonda M. Bolton

Enclosure

cc: Service List



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Application of)
)
EchoStar Communications Corporation,)
General Motors Corporation, and)
Hughes Electronics Corporation.)
)
Transferors,)
)
and)
)
EchoStar Communications Corporation,)
)
Transferee)

CS Docket No. 01-348

NOTICE OF APPEARANCE

Pursuant to paragraph 296 of the *Hearing Designation Order* in the above-captioned proceeding,¹ and in accordance with Commission Rule 1.221(c), 47 C.F.R. § 1.221(c), EchoStar Communications Corporation ("EchoStar"). by its attorneys, submits this Notice of Appearance to inform the Commission of its intention to appear on the date fixed for hearing and present evidence on the issues specified in the *Hearing Designation Order*.²

¹ See *In the Matter of Application of EchoStar Communications Corporation, General Motors Corporation, and Hughes Electronics Corporation, Transferors, and EchoStar Communications Corporation, Transferee*, Hearing Designation Order, CS Docket No. 01-348, FCC 02-284 (rel. Oct. 18, 2002) ("*Hearing Designation Order*"), at ¶ 296 (directing applicants to *file* a written appearance "within 20 days of the mailing of [the *Hearing Designation Order*]"). The *Hearing Designation Order* was mailed to EchoStar on October 28, 2002. Accordingly, this Notice of Appearance is timely filed.)

² EchoStar has been advised by Commission staff that a hearing fee does not apply to its Notice of Appearance. On November 14, 2002, the Commission issued a Public Notice stating that the Commission's fee provisions "do[] not, . . ., provide for a fee for this type of hearing."

EchoStar reserves the right to submit an amended application and a petition to suspend the hearing proceeding pending Commission review of the amended application, as invited by the Commission in paragraph 295 of the *Hearing Designation Order*.³ EchoStar does not, by filing this Notice of Appearance, intend to waive or prejudice this right

Respectfully submitted,

ECHOSTAR COMMUNICATIONS CORPORATION

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Counsel for EchoStar Communications Corporation

November 18, 2002

EchoStar-DIRECTV Merger, Fees for Participating in Hearing, Public Notice, CS Docket No. 01-348, DA 02-3173 (rel. Nov. 14, 2002).

³ See *Hearing Designation Order* at ¶ 295.

REVISED CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of November 2002, a copy of the foregoing
was sent by first-class mail to the following

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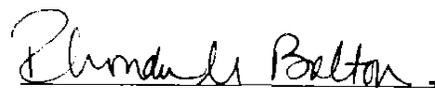
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