



November 21, 2003

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *In the Matter of General Motors Corporation, Hughes Electronics Corporation, And The News Corporation Limited Application To Transfer Control Of FCC Authorizations And Licenses Held By Hughes Electronics Corporation To The News Corporation Limited, MB*
Docket No. 03-124
Ex Parte Communication

Dear Ms. Dortch:

On November 20, 2003, Gene Kimmelman, Chris Murray, Luis Figueroa, and Mister Phillips of Consumers Union (CU) met with Jordan Goldstein, Senior Legal Advisor in the Office of Commissioner Michael Copps to explain the need for changes in the DirecTV/News Corp merger.

In particular, the parties discussed that the DirecTV/News Corp is likely to create upward pressure on cable television rates, because of the increased leverage that a nationwide satellite system (combined with Must Carry and Retransmission Consent guarantees for News Corp. broadcast properties) will generate for the combined entity. Though this merger is unique, it shares commonalties with the Time Warner-Turner merger of 1996. In that instance, the Federal Trade Commission established a cable programming price index mechanism to evaluate whether the merging companies were raising programming prices at a more accelerated pace than their historic pattern. A similar mechanism here would help ensure that the alleged efficiencies of this transaction will not merely accrue to the merged entities in the form of bloated market power, resulting in bulging cable bills for consumers. Consumers Union referenced the detailed comments previously filed in this docket, which may be referred to for more information.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Kimmelman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gene Kimmelman, Senior Director of Advocacy and Public Policy
Consumers Union