

# STEPTOE & JOHNSON LLP

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December 5, 2003

## **VIA ELECTRONIC FILING**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20054

**Re:** *Consolidated Application of General Motors Corporation, Hughes Electronics Corporation, and The News Corporation Limited for Authority to Transfer Control, MB Docket No. 03-124, Ex Parte Notice*

Dear Ms. Dortch:

On December 4 and 5, 2003, representatives of EchoStar Satellite Corporation made telephone calls in connection with the above-captioned proceeding to the following:

- Jennifer Manner, Senior Counsel to Commissioner Abernathy (December 4, 2003);
- W. Kenneth Ferree and Barbara Esbin of the Media Bureau (December 4, 2003);
- Johanna Shelton, Legal Advisor to Commissioner Adelstein (December 4, 2003);
- Jonathan Cody, Legal Advisor to Chairman Powell (December 5, 2003); and
- Catherine Crutcher Bohigian, Legal Advisor to Commissioner Martin (December 5, 2003).

In each of the calls, EchoStar's representatives pointed out that any conditions to be placed by the Commission upon approval of the merger should protect all multichannel video programming distributors ("MVPD"s), not just cable operators. Non-cable MVPDs have significantly less leverage than cable systems, and the former's need for protection is, if anything, greater.

Ms. Marlene Dortch  
December 5, 2003  
Page 2

In accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), one copy of this *ex parte* notice is being submitted electronically to your office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rhonda M. Bolton".

Rhonda M. Bolton  
*Counsel for EchoStar Satellite Corporation*

cc: Ms. Catherine Crutcher Bohigian  
Mr. Jonathan Cody  
Ms. Barbara Esbin  
Mr. W. Kenneth Ferree  
Ms. Jennifer Manner  
Ms. Johanna Shelton