

I urge FCC to deny the transfer of licenses and authorizations from Rainbow DBS company LLC to EchoStar Satellite LLC as it clearly goes against public interest. Here are the main reasons:

1. Such transfer would not increase competition in the MVPD market as stated in the application. Instead, it would only benefit one single company - EchoStar, which according to the recent FCC's 11th Annual MVPD Competition Report, is the second largest DBS operator and the fourth largest MVPD and continues to grow its customer base at double-digit rate (15%).

2. The proposed transfer would jeopardize the existence of the newest DBS service - VOOM. It may effectively result in elimination of this service, which would clearly harm the public interest. Even if VOOM finds a way to continue its services without Rainbow-1 satellite and corresponding licenses, its competitive advantage would be significantly diminished, and its chances of survival would be greatly reduced, which would definitely cause less competition and less choices for consumers.

3. The proposed transfer could significantly reduce the options available to the public, both in provider choices and in programming selections, and as a result, it would harm the public interest.

4. There is no necessity in this transaction. According to recent SEC filings, Cablevision has entered into an agreement with Charles F. Dolan, the Chairman of the Company, and Thomas C. Dolan, a director of the Company, pursuant to which the parties will work cooperatively to finalize the separation of the Company's Rainbow DBS subsidiary from the Company.

5. The denial of the license transfer by FCC, on the other hand, would give VOOM the opportunity to continue its service; it would promote competition in the MVPD market, and would result in more options for consumers.

Why VOOM service is so important for the public interest?

1. VOOM offers an unmatched selection of 35+ HD channels. 2-3 times more than all other MVPDs combined. The existence of such an offering is extremely important for the public.
2. As no other MVPD, VOOM promotes High Definition technology and helps sell more HDTV's; makes the transition to HD Television in the US faster and easier, which clearly serves the public interest.
3. Unlike other DBS providers, VOOM offers 21 channels of high-quality original programming, most of which is not available anywhere else. The proposed transfer would not only threaten the existence of the DBS provider, but would also put the existence of these original channels in jeopardy, which clearly wouldn't serve the public interest.
4. VOOM leads technological progress in the DBS market. For example, it offers 2-3 times more channels with 5.1 Dolby Digital Surround sound than any other MVPD, also, VOOM is the only DBS provider whose set-top-boxes are 100% upgradeable to the latest MPEG-4 encoding.
5. VOOM offers real competition to other MVPDs, not only in HD, but in SD area as well. With the addition of around 25 popular SD channels over the past month, VOOM now has a very competitive lineup of SD channels and is well positioned to become a true Third DBS provider. In addition, VOOM offers better picture quality for SD TV sets than any other major MVPD.
6. VOOM offers very competitive pricing and an excellent value for the money. This puts pressure on other MVPDs and clearly serves the public interest.
7. Although current VOOM's customer base may not be very impressive (around 40,000 subscribers according to recent SEC filings), VOOM has shown a rapid growth over the past few months and with the announced plans for additional HD and SD channels and with the upcoming release of the DVR and the whole-house network solutions it is well positioned for quick expansion of its customer base,

which will increase competition in the market.