

# United States Senate

WASHINGTON, DC 20510

May 7, 2007

FILED/ACCEPTED

JUN - 4 2007

Federal Communications Commission  
Office of the Secretary

07-18

Chairman Kevin Martin  
Federal Communications Commission  
445 12th Street S.W.  
Washington, D.C. 20554

Dear Mr. Chairman:

We write today to express support for a petition submitted by the North Dakota Broadcasters Association regarding the transfer of control by News Corporation to Liberty Media of DirecTV. We urge your strong consideration of requirements that DirecTV offer local into local service in all 210 designated market areas by the end of 2008 before such a transfer is approved.

In 2004, when News Corporation was in the process of obtaining Federal Communications Commission (FCC) approval for its acquisition of 34% of DirecTV, the company committed to the FCC that it would provide local into local service in all rated markets by the end of 2008. Unfortunately, this promise was not incorporated as an enforceable condition of the license transfer, and DirecTV now states that its intention was always that the service would not necessarily be delivered via satellite.

It is entirely reasonable and wholly in the public interest to require local channel delivery via satellite to all 210 markets. If the Liberty acquisition is to be approved, such local channel delivery should be a condition on approval.

DirecTV serves the majority of the 35,245 households within the Minot/Bismarck Designated Market Area who receive their subscription television service from a Direct Broadcast Satellite service (DBS). These viewers do not have regular access to North Dakota emergency alert information, Amber Alerts, or weather advisories.

DirecTV currently provides local into local service in only 142 of 210 designated market areas nationwide. This means that thousands of subscribers in 68 market areas and 31 states, including ours, are not able to receive local programming from DirecTV. These customers overwhelmingly reside in rural areas that are more expensive to serve than urban settings.

The transfer application currently before you makes no reference to providing local into local service for all DirecTV customers. It appears that DirecTV intends to utilize current and future satellite capacity to increase high definition service, rather than provide local into local coverage

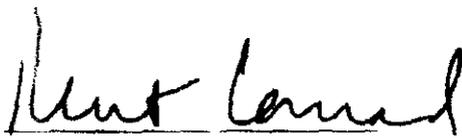
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in unserved areas. In fact, DirecTV has announced that it intends to provide one hundred high definition channels by the summer of 2007.

The goal of communications policy has always been to further localism. Public information, public safety, and the overarching public interest demand that local into local service be extended to all of DirecTV's consumers, regardless of geographical location. We encourage you to closely examine this transaction, and require DirecTV and Liberty Media to provide universal local into local service to all of its customers by the end of 2008 as a condition of the license transfer.

Thank you for your consideration of this request.

Sincerely,



KENT CONRAD  
United States Senate



BYRON DORGAN  
United States Senate

cc: Commissioner Michael J. Copps  
Commissioner Jonathan S. Adelstein  
Commissioner Deborah Taylor Tate  
Commissioner Robert M. McDowell