

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

In re Petition of

EchoStar Satellite L.L.C.

For Declaratory Ruling that the Big Ten
Network Is a Regional Sports Network under
the *News Corp.-Hughes Order*

Docket No. _____

EXPEDITED TREATMENT REQUESTED

PETITION FOR DECLARATORY RULING

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Pursuant to Sections 1.2 and 76.7 of the Commission's Rules, 47 C.F.R. §§ 1.2, 76.7, Petitioner EchoStar Satellite L.L.C. ("EchoStar"), hereby requests an expedited declaratory ruling¹ that the Big Ten Network is a regional sports network ("RSN") under the *News Corp.-Hughes Order*.² Clarification of the definition of RSN in the *News Corp.-Hughes Order*, as well a declaration that the Big Ten Network is an RSN, will ensure that EchoStar and other unaffiliated multichannel video programming distributors ("MVPDs") may swiftly invoke their rights under applicable law, including the commercial arbitration remedy in the *News Corp.-*

¹ Cf. Memorandum Opinion and Order, *Time Warner Cable, Emergency Petition of ABC, Inc. for Declaratory Ruling and Enforcement Order For Violation of Section 76.58 of the Commission's Rules, or in the Alternative for Injunctive Relief*, 15 FCC Rcd 7882 (CSB 2000) (granting emergency declaratory relief to prevent Time Warner Cable from refusing to carry ABC broadcast signals).

² See Memorandum Opinion and Order, *General Motors Corp. & Hughes Electronic Corp., Transferors, & the News Corporation Ltd., Transferee, For Authority to Transfer Control*, 19 FCC Rcd 473 (2004) ("*News Corp.-Hughes Order*").

Hughes Order, so they can ensure delivery of valuable programming to consumers on reasonable terms.

The Big Ten Network – a new cable network featuring live regional sports programming from the NCAA’s Big Ten Conference – is a joint venture of the Big Ten Conference and Fox Cable Services that is scheduled to launch in August 2007, in time for the 2007-08 college football and basketball seasons. After nearly three months of negotiations, EchoStar has been unable to reach a carriage agreement with the Big Ten Network due to its insistence on unreasonable terms, including rates that are far above market, and its demand for nationwide carriage on EchoStar’s basic tier.

The terms of the Big Ten Network’s carriage demand would impede EchoStar’s ability to offer a low-priced basic programming tier that the vast majority of consumers can purchase, which is key to EchoStar’s business model, and also an important policy objective of this Commission. Chairman Martin has explained that “consumers should be able to purchase the products and services they want without being forced to buy something they do not want.”³

Although the Big Ten Network has held itself out as a national network, its programming, pricing structure, and other aspects of its business model are consistent with an RSN, not with a national network. In particular, the pricing and packaging structure proposed by the Big Ten Network is comparable to that of a traditional RSN, and bears little relation to the greatly reduced pricing structure of existing national college sports-based networks, *e.g.*, CSTV and ESPNU.

³ Remarks of FCC Chairman Kevin J. Martin, National Cable & Telecommunications Association, in Las Vegas, Nev., at 3 (May 7, 2007), *available at* http://www.fcc.gov/Daily_Releases/Daily_Business/2007/db0508/DOC-272897A1.pdf.

Further, the Big Ten Network has a clear incentive to evade the RSN classification so that it will not be subject to the arbitration provisions of the *News Corp.-Hughes Order*, which apply only to RSNs. But regardless of how the Big Ten Network might try to cast itself, those provisions were designed precisely for the type of programming – live, high-profile regional sporting events – that the Big Ten Network offers, and the Commission should accordingly clarify that the Big Ten Network is an RSN for purposes of that Order. Failure to do so would create an unintended loophole in the *News Corp.-Hughes Order* that would allow affiliated RSNs to escape commercial arbitration merely by requesting national carriage.

BACKGROUND

A. The News Corp.-Hughes Order

In 2003, General Motors Corporation, Hughes Electronics Corporation (“Hughes”), and News Corp. sought the Commission’s consent to transfer various licenses in connection with News Corp.’s acquisition of a controlling interest in Hughes and its subsidiaries, including DIRECTV. The Commission concluded that the transfer had the potential to cause significant competitive harm, particularly with respect to regional sports. News Corp. owned extensive video programming assets, including 35 full-power television broadcast stations, 10 national cable programming networks, and 22 regional cable programming networks. DIRECTV was the nation’s second-largest MVPD, second only to Comcast Corporation. *See News Corp.-Hughes Order* ¶ 3.

The Commission determined that “[b]y combining News Corp.’s programming assets with DirecTV’s national distribution platform,” the transaction would change “New Corp.’s relationship with all other MVPDs from that of solely a programming supplier to that of both a supplier of crucial inputs and a direct competitor in the end user MVPD market.” *Id.* ¶ 4.

Particularly troubling was News Corp.'s ownership of (or other interest in) 19 RSNs. *See id.* ¶ 134. The Commission explained that “[s]ince [it] first began tracking regional cable programming networks . . . it has repeatedly recognized the importance of regional sports programming to MVPD offerings,” and that “there are no readily acceptable close substitutes” for RSNs.⁴

The Commission found that “News Corp., after the transaction, [would] have an increased incentive and ability” to withhold RSNs from competing MVPDs “in order to raise the price of RSN programming,” thus keeping competition in the MVPD market at bay. *News Corp.-Hughes Order* ¶ 159. In the event that News Corp. did withhold RSNs, the Commission noted, consumers would “lose access to highly desired programming and some consumers will leave their preferred MVPD provider.” *Id.*

In order to secure the Commission’s consent to the transaction, News Corp. accordingly agreed “to continue to be bound by the program access rules applicable to satellite program vendors” regardless of whether “any or all of its programming otherwise fall outside of the Commission’s program access jurisdiction.” *Id.* ¶ 113. The Commission adopted News Corp.’s proposed condition, explaining that News Corp. must make all “national and regional programming services . . . available to all MVPDs on a non-exclusive basis and *nondiscriminatory terms and conditions.*” *Id.* ¶ 127 (emphasis added).

In addition, the Commission adopted a special commercial arbitration remedy with respect to RSNs, which reflects the particular importance of this programming. The Commission “create[d] a mechanism whereby an aggrieved MVPD may choose to submit a dispute with

⁴ *Id.* ¶ 133; *see also* Twelfth Annual Report, *Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming*, 21 FCC Rcd 2503, ¶ 205 (2006) (“Access to must have programming, including . . . regional sports networks, on a timely basis and at competitive rates is a key competitive issue for all MVPDs.”).

News Corp. over the terms and conditions of carriage of RSNs to commercial arbitration.” *Id.*

¶ 173. The Commission explained that, “[b]y requiring commercial arbitration where negotiations fail to produce a mutually acceptable set of prices, terms and conditions, [the Commission] reduce[s] the incentives and opportunities for News Corp.” to engage in anticompetitive behavior. *Id.* ¶ 174. The commercial arbitration remedy for RSNs is set forth in ¶ 177 of the *News Corp.-Hughes Order*.

B. EchoStar’s Negotiations for Carriage of the Big Ten Network

The Big Ten Network is an affiliated programming vendor of News Corp, and is affiliated with DIRECTV.⁵ The Network is a joint venture of the Big Ten Conference (which holds a 51 percent share in the Big Ten Network) and Fox Cable (which holds a 49 percent share).⁶ The Big Ten Conference is an NCAA Division I conference made up of eleven schools (Illinois, Indiana, Iowa, Michigan, Michigan State, Minnesota, Northwestern, Ohio State, Penn State, Purdue, Wisconsin) in eight states in the Midwestern United States (Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, Pennsylvania, and Wisconsin).⁷ The Big Ten Network is scheduled to launch in August 2007. The Network will provide live regional sports and related programming from the Big Ten Conference on a full-time basis. The Big Ten Network currently holds the rights to produce over 35 football games per season, over 105 men’s basketball games, three men’s Big Ten Tournament basketball games, over 55 women’s basketball games, and nine

⁵ See *News Corp.-Hughes Order* ¶ 2 (noting that, post-transaction, News Corp. would have a “*de facto* controlling interest over Hughes and its subsidiaries, including [DIRECTV]”).

⁶ See Judd Zulgad, *Broadcast Sports: No one is budging as another network, cable systems squabble*, Star Tribune (updated June 24, 2007) (listing Fox Cable’s interest in the Big Ten Network).

⁷ See About the Conference, <http://bigten.cstv.com/school-bio/big10-school-bio.html>.

women's Big Ten Tournament basketball games.⁸ This Commission has recognized that networks such as the Big Ten Network show regional sports that are "must have" programming.⁹

EchoStar is an MVPD that provides Direct Broadcast Satellite ("DBS") service and thus competes in the MVPD market with, among others, cable operators and DBS providers, including DIRECTV. In order to compete effectively, EchoStar must acquire access to popular programming, including regional sports, that this Commission has recognized is highly valued by consumers, on terms that are comparable to what other MVPDs receive. To that end, for the past three months, EchoStar has been engaged in negotiations for carriage of the Big Ten Network given the potential appeal of such programming in the eight Midwestern states that have universities in the Big Ten Conference.

EchoStar began negotiations with the Big Ten Network in early May 2007. Throughout subsequent negotiations, the Big Ten Network has taken the firm position that its programming is *national* in scope and of general interest – notwithstanding that its programming involves only eleven schools in eight states concentrated in the Midwestern United States – and therefore that it should be carried on MVPDs' basic, rather than specialized, tiers. At the same time, Big Ten Network has demanded carriage rates that are far in excess of what national college sports

⁸ See Big Ten Network Fact Sheet, <http://www.bigtennetwork.com/managex/index.asp?ArticleSource=417>.

⁹ See, e.g., Memorandum Opinion and Order, *Applications for Consent to the Assignment and/or Transfer of Control of Licenses Adelfia Communications Corporation to Time Warner Cable Inc., et al.*, 21 FCC Rcd 8203, ¶ 124 (2006) (RSN programming is "must have" programming and "an MVPD's ability to gain access to" such programming is important "to compete with rivals"); Memorandum Opinion and Order, *Applications for Consent to the Assignment and/or Transfer of Control of Licenses Adelfia Communications Corporation to Time Warner Cable Inc.; Adelfia Communications Corporation to Comcast Corporation; Comcast Corporation to Time Warner Inc.; Time Warner Inc. to Comcast Corporation*, 21 FCC Rcd 8203, App. B § A (2006) ("*Adelfia Order*") (defining must-have RSN programming to include NCAA Division I college football and basketball).

networks charge, and has instead charged rates akin to other RSNs with programming of comparable value.

EchoStar has consistently responded that the Big Ten Network's programming is regional in nature – as it appeals most to fans in Midwestern states – and that the programming is specialized, appealing only to sports fans. For that reason, EchoStar has explained, the Big Ten Network's rate and carriage proposals are substantially out of line with market practices. EchoStar carries other networks with regional sports programming only on its higher tiers, because RSNs are typically expensive, and EchoStar seeks to maintain a basic tier that is affordable for the vast majority of consumers across the country.

In light of the Big Ten Network's refusal to deal reasonably with EchoStar and its affiliation with DIRECTV-News Corp., EchoStar has considered invoking its arbitration rights under the *News Corp.-Hughes Order*. Although EchoStar strongly believes that it could currently invoke those rights given that the Big Ten Network is, in fact, an RSN – and it hereby reserves its rights to do so at anytime – EchoStar files this petition so that the Commission can resolve any potential ambiguity, making clear that the Big Ten Network is an RSN within the meaning of the *News Corp.-Hughes Order*, and thus removing any possible uncertainty regarding the rights and obligations of the parties.

DISCUSSION

The Commission should declare that the Big Ten Network is an RSN under the *News Corp.-Hughes Order*. This will ensure that the Big Ten Network is covered by the arbitration remedy provided in that order to protect unaffiliated MVPDs, such as EchoStar, which are being denied access to valuable content on reasonable terms.

There is no serious question that the basic requisites of the arbitration remedy of the *News Corp.-Hughes Order* could be satisfied here. EchoStar is an MVPD. See 47 U.S.C. § 522(13) (“‘multichannel video programming distributor’ means a person . . . who makes available for purchase, by subscribers or customers, multiple channels of video programming”). The Big Ten Network is an affiliated programming vendor of News Corp., which is bound by the arbitration provisions of the *News Corp.-Hughes Order*. See *News Corp.-Hughes Order* ¶¶ 172-79. In addition, “negotiations have fail[ed] to produce a mutually acceptable set of prices, terms, and conditions” for EchoStar’s access to the Big Ten Network. *News Corp.-Hughes Order* ¶ 174.

The only potential ambiguity in existing law is whether the Big Ten Network is an RSN under the *News Corp.-Hughes Order*. This potential ambiguity arises from the Big Ten Network’s insistence that it be treated like a national network and from the fact that the *News Corp.-Hughes Order* does not define what constitutes an RSN. Although the Commission has not addressed this explicit issue, the Big Ten Network is precisely the kind of network the Commission had in mind in that order – it holds rights to valuable regional sports that, if not made available to unaffiliated MVPDs, would harm competition. The Big Ten Network also is properly classified as an RSN based on industry standards. As demonstrated below, the Big Ten Network’s programming content, pricing, and business model are all consistent with other RSNs in the industry, and not with other national sports networks. In addition, the Big Ten Network would be considered an RSN under the definition of that term that the Commission adopted in the *Adelphia Order*, to address the same type of competitive harm at issue here.

A. The Big Ten Network's Programming Is Regional In Nature and Consistent with Other RSNs

The Big Ten Network's programming – which is limited to live sporting events and related programming (such as pre- and post-game shows) regarding a single college conference – is regional by definition. As the Big Ten Network itself notes, it will be “dedicated to covering . . . the . . . athletic . . . content of the Big Ten Conference.”¹⁰ As explained above, the Big Ten Conference consists of eleven member institutions (Illinois, Indiana, Iowa, Michigan, Michigan State, Minnesota, Northwestern, Ohio State, Penn State, Purdue, Wisconsin) in eight states in the Midwestern United States (Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, Pennsylvania, and Wisconsin).¹¹ The core of the Big Ten Network's programming will be 35 football games per season, over 105 men's basketball games, three men's Big Ten Tournament basketball games, over 55 women's basketball games, and nine women's Big Ten Tournament basketball games.¹²

Other networks that focus on regional college sports – such as Comcast Sports South (which focuses on the ACC and SEC conferences) – are likewise distributed regionally and hold themselves out as RSNs.¹³ There are two national networks that also focus on college sports – CSTV and ESPNU – but both those networks air sports multiple NCAA conferences from

¹⁰ See <http://www.bigtennetwork.com/>.

¹¹ The Big Ten Network will be based exclusively in Chicago, Illinois, and it intends to produce its games within that regional facility. Crain's, *Former Ward's Building to House Big Ten Network* (Dec. 20, 2006), http://chicagobusiness.com/cgi-bin/news.pl?post_date=2006-12-20&id=23255&seenIt=1.

¹² See Big Ten Network Fact Sheet, <http://www.bigtennetwork.com/managex/index.asp?ArticleSource=417>.

¹³ CSS Sports, *About Us*, http://www.csssports.com/about_us.cfm (emphasis added) (“We have more collegiate sports coverage *than any other regional sports network* in the country, reaching 5.6 million households across 12 states.”). CSS is distributed in 12 southern states.

throughout the country.¹⁴ And, to the best of EchoStar's knowledge, neither CSTV nor ESPNU is carried on the basic tier of any major MVPD.

B. Demand for the Big Ten Network is Consistent with an RSN, As Its Pricing Structure and Other Factors Demonstrate

Given the regional nature of its programming, the demand for the Big Ten Network is concentrated heavily within the region of the Big Ten Conference. Mark Silverman, the President of the Big Ten Network, has acknowledged that the network has "heightened appeal within the eight states."¹⁵ Other commentators have similarly observed that the Big Ten Network is relying on "the intensity of the [Big Ten Network's] *regional appeal*" as the basis for its sales pitch to MVPDs.¹⁶

This is conclusively demonstrated by the Big Ten Network's proposed pricing structure. According to public sources, the Big Ten Network has proposed carriage rates to MVPDs that are *11 times* higher within the Big Ten Conference footprint, than outside the conference's regional base, which reflects its understanding that its programming is much more valuable within the geographic region of that conference.¹⁷ The high price that the Big Ten Network is requesting for carriage within the Big Ten Conference is consistent with the prices that other

¹⁴ See CSTV, *About Us*, <http://www.cstv.com/online/> (CSTV covers "100 different colleges and universities across the country"); ESPNU to launch on '03-04-05, <http://sports.espn.go.com/ncaa/news/story?id=1951755> (Dec. 8, 2004)

¹⁵ See *id.* (quoting Mark Silverman, President, Big Ten Network); see also Michael Hiestand, *Big Ten Network gets off to good start in broadcast booth*, USA Today (July 18, 2007) (speculating that the Big Ten Network is seeking broad distribution, "at least in its schools' home states") available at http://www.usatoday.com/sports/columnist/hiestand-tv/2007-07-17-bigten-network_N.htm.

¹⁶ Stewart Mandel, *Mass appeal? Big Ten Network fighting hard for cable viewership*, Si.Com (June 26, 2007) (emphasis added) http://sportsillustrated.cnn.com/2007/writers/stewart_mandel/06/26/bigten.network/.

¹⁷ Richard Sandomir, *Not Everyone Wants Channel That's All Big Ten, All the Time*, N.Y. Times, June 18, 2007, at D5 ("Not Everyone Wants Big Ten").

RSNs – that show professional sports teams (or some combination of professional and college sports) – typically charge for their must-have programming in their region, and not with the price that national college sports networks charge.

It is precisely because of its unreasonable pricing structure that no major unaffiliated MVPD has agreed to carry the Big Ten Network on its proposed terms. DIRECTV – as a sister company within News Corp.’s broad media portfolio – has an obvious interest in granting Big Ten Network a favorable carriage deal. Apart from that, however, virtually every other MVPD that has agreed to carry the Big Ten Network on its proposed terms is a small, regional cable network that is located wholly within the footprint of the Big Ten Conference.¹⁸

C. The Big Ten Network Has Must-Have Programming that the *News-Corp.-Hughes Order* Was Intended to Cover

The proposed pricing structure of the Big Ten Network reflects its own view that it has regional programming that is valuable within the Big Ten Conference footprint. EchoStar agrees, and believes that unless it is able to gain access to this programming on reasonable terms, it will lose subscribers to DIRECTV and other regional MVPDs that have agreed to carry the Big Ten Network. This is precisely the result that the *News Corp.-Hughes Order* was intended to prevent.

While the *News Corp.-Hughes Order* does not explicitly define an RSN, the Big Ten Network shares the basic characteristics of such networks detailed in the *News Corp.-Hughes Order*. *News Corp.-Hughes Order*, ¶¶ 147-80. Specifically, the Commission highlighted that an RSN is of particular competitive import because of its unique specialized sports offerings that:

¹⁸ The one potential exception is AT&T, which signed a deal to distribute the Big Ten Network on AT&T’s U-Verse network, which has less than 50,000 subscribers today. See Timothy Horan, *et al.*, CIBC World Markets, *AT&T*, at 1 (May 8, 2007); AT&T U-Verse Media Kit, <http://www.att.com/gen/press-room?pid=5838> (last visited July 20, 2007).

- lack reasonable available substitutes;
- consist of a finite number of teams and games;
- that are time sensitive; and
- of local interest.

Thus, any reasonable interpretation of the *Order's* use of that term “RSN” should include the Big Ten Network.

The Commission’s primary concern in approving the Hughes transaction concerned the increased ability of News Corp. to impede competition by denying other MVPDs access to its must-have programming on reasonable terms. Because RSNs are “critical content,” the Commission recognized that, unless an unaffiliated MVPD like EchoStar could obtain access to those networks, they would lose subscribers to MVPDs that did carry such networks.¹⁹ As is true with most sports programming, demand for college sports programming is most intense within the geographic region in which the competing schools are located, and naturally wanes the further viewers are from the participating schools. Therefore, it is undoubtedly an RSN within that area given the high demand for Big Ten sports programming there.

The fact that the Big Ten Network has sought national distribution does not change this result.²⁰ It is not (and should not be) the law that a programming network that would otherwise

¹⁹ See *News Corp.-Hughes Order* ¶ 173; see also *id.* ¶ 159 (noting concern with News Corp.’s control over RSN programming that is “highly desired”); *id.* ¶ 133 (finding that RSNs are important because many viewers believe “there is no good substitute for watching their local and/or favorite team play an important game”).

²⁰ Nor does the FCC’s statement in the *News Corp.-Hughes Order* that the relevant geographic market for an RSN should take into account that “contracts between sports teams and RSNs” sometimes “limit the distribution of the content to a specific ‘distribution footprint’” alter the analysis. *News Corp.-Hughes Order* ¶ 66. The Commission’s reference was to the fact that for some *professional* sports programming – for example, Major League Baseball – there are league rules that limit teams’ rights to license content outside particular geographic areas that are defined to track viewer demand for particular teams’ programming. The same is not true of most

be an RSN becomes a national network simply because the network *demand*s national distribution or an affiliated MVPD has agreed to those terms. That position would allow affiliated RSNs to evade the Commission's arbitration remedy by insisting upon national distribution, however unreasonable the demand. Furthermore, that view is inconsistent with commonsense point that college sports programming that has substantial appeal within a limited geographic region should be classified as regional, not national, programming in that region.

D. The Big Ten Network Would Be Considered an RSN under the *Adelphia Order*

Although the Commission did not expressly define "RSN" in the *News Corp.-Hughes Order*, the Commission did more recently define that term in the *Adelphia Order*, in imposing an arbitration remedy modeled on the *News Corp.-Hughes Order*. See *Adelphia Order* ¶ 190 &

App. B. The Commission there defined an RSN as:

"any non-broadcast video programming service that (1) provides live or same-day distribution within a limited geographic region of sport events of a sports team that is a member of . . . NCAA Division I Football, NCAA Division I Basketball and (2) in any year, carries a minimum of either 100 hours of programming that meets the criteria of subheading 1, or 10% of the regular season games of at least one sports team that meets the criteria of subheading 1." *Adelphia Order* ¶ 158.

The Big Ten Network also satisfies this definition. As explained, the Big Ten Network will provide live "non-broadcast" distribution of Big Ten Conference sporting events. The Big Ten Conference is composed of eleven schools that compete in "NCAA Division I Football" and "NCAA Division I Basketball" (men's and women's).²¹ And, because the Big Ten Network will

NCAA conferences. To cite one example, PAC-10 has granted exclusive *national* rights to men's football and basketball games to the Fox Sports Net family of RSNs.

²¹ See

<http://web1.ncaa.org/onlineDir/exec/sponsorship?sortOrder=0&division=1A&sport=MFB> (listing the eleven Big Ten Conference schools as participating in NCAA Division I men's football);

<http://web1.ncaa.org/onlineDir/exec/sponsorship?sortOrder=0&division=1&sport=MBB> (listing

produce over 35 football games per season, over 105 men's basketball games, three men's Big Ten Tournament basketball games, over 55 women's basketball games, and nine women's Big Ten Tournament basketball games,²² it will satisfy the criterion of showing 100 hours of regional programming. *See Adelpia Order* ¶ 158.

Finally, the Big Ten Network will provide local sports programming within a "limited geographic region" in which demand for the programming is significant. The Big Ten Network has as its primary mission the distribution of games of eleven universities within a discrete geographic region, and the Big Ten Network's pricing structure makes clear that demand for the Network is most significant in the Big Ten Conference. As discussed above, the fact that the Big Ten Network has also sought distribution outside that conference does not change that result, particularly given the Big Ten Network's recognition, as evidenced by its pricing structure, that the network lacks significant interest and value outside the Big Ten Conference.

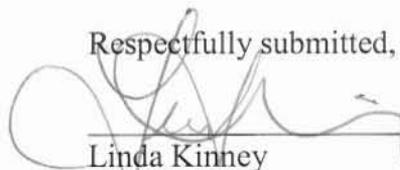
the eleven Big Ten Conference schools as participating in NCAA Division I men's basketball); <http://web1.ncaa.org/onlineDir/exec/sponsorship?sortOrder=0&division=1&sport=WBB> (listing the eleven Big Ten Conference schools as participating in NCAA Division I women's basketball).

²² *See* Big Ten Network Fact Sheet, <http://www.bigtennetwork.com/managex/index.asp?ArticleSource=417>.

CONCLUSION

For the foregoing reasons, the Commission should issue a declaratory ruling on an expedited basis that the Big Ten Network is an RSN within the meaning of the *News Corp.-Hughes Order*.

Respectfully submitted,



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July 20, 2007

CERTIFICATE OF SERVICE

I, Bradley Gillen, hereby certify that on this 20 day of July 2007, copies of the foregoing Petition for Declaratory Ruling were served upon the parties listed on the attached service list by overnight delivery.

A handwritten signature in black ink, appearing to read "B. Gillen", is written over a horizontal line. The signature is stylized and cursive.

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