

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
DTV Consumer Education Initiative)	MB Docket No. 07-148
Telecommunications Act of 1996)	
)	
)	

COMMENTS OF ECHOSTAR SATELLITE, L.L.C.

EchoStar Satellite L.L.C. (“EchoStar”) supports the Commission’s effort to “promote a coordinated national DTV consumer education campaign.”¹ The task of ensuring no over-the-air television viewer loses service on February 18, 2009 is of the utmost national importance. That goal will only be achieved through coordinated government and industry education efforts focused on affected households.

It is critical to recognize at the outset of this proceeding, however, that one-size-fits-all solutions would be imprudent because each industry within the television market is affected differently by the transition.² An appropriate message to an over-the-air broadcast household differs substantially from an appropriate message to a cable household, an IPTV household, or an all-digital DBS satellite household. Further, each industry has a clear interest in notifying and informing their subscriber base about the digital transition and the unique impact on that specific industry.

In fact, EchoStar’s DISH Network is developing its own targeted outreach and educational efforts for its 13.6 million subscriber base. Because February 18, 2009 will be a non-event for virtually all DISH Network subscribers, a critical component of these efforts will

¹ *In re DTV Consumer Education Initiative*, Notice of Proposed Rulemaking, FCC 07-128, ¶ 3 (July 21, 2007) (“Notice”).

² *Id.*, ¶¶ 7-9 (proposing different requirements on broadcasters and MVPDs).

be to alleviate concerns and correct any misconceptions as to the effect of the digital transition on satellite subscribers. A federal obligation to provide DISH Network subscribers with bill inserts would be an ineffective means of reaching over-the-air consumers who are about to lose their television signals. We have other ways of educating subscribers about the transition, and therefore, bill inserts should not be required. Rather, the Commission should serve as a repository of digital television educational messages and materials, and should promote those campaigns that effectively inform consumers.

DBS HOUSEHOLDS ARE PREPARED FOR THE DIGITAL TRANSITION TODAY

Virtually all DBS satellite subscribers will not be affected by the digital transition because DBS systems are already all-digital, and any television receiving DISH Network programming today will do so in February 2009 without any additional subscriber action or investment. All subscribers require one or more satellite dishes and satellite set-top boxes to access satellite service. Importantly, each satellite set-top box today has the ability to convert digital signals for display on both analog and digital televisions. DISH Network also provides subscribers with the option of an industry-leading multi-room set-top box that allows subscribers to receive digital and analog signals on televisions in different rooms with a single set-top box.

There may, however, be a small number of DISH Network subscribers that do not currently have all television sets connected to DISH Network today. These televisions may be used for gaming systems, DVD/VCR viewing, or not used at all. If a subscriber chooses to, these televisions can be incorporated into their existing DISH Network service, and DISH Network intends to provide all such consumers with a menu of different choices and in-home configurations for either integrating that television into the DISH Network service or continuing to operate that television on a stand-alone basis. In addition, DISH Network has integrated an

over-the-air antenna capability into its high definition set-top boxes that allow consumers to integrate over-the-air digital signals into their existing DISH Network service through a digital over-the-air antenna.

ECHOSTAR COMMITTED TO IMPLEMENT VOLUNTARILY A NUMBER OF DIGITAL TRANSITION EDUCATION EFFORTS

EchoStar is committed to educational efforts to ensure that all DISH Network subscribers understand the scope and impact of the digital transition on their household. It is smart business to ensure that our customers are fully aware of the digital transition, and do not invest needlessly in additional televisions or equipment because of a basic misunderstanding about the digital transition and satellite television. Educational outreach efforts include the following components: dedicated online information on the DISH Network website addressing digital transition issues; informational options for customers contacting our call centers; and information on Channel 101 of DISH Network. Channel 101 is a dedicated DISH Network channel for the convenience of subscribers, offering information about account billing, equipment, and technical issues. Another unique resource available to DISH Network is the Charlie Chat, in which our CEO and Founder, Charlie Ergen, speaks directly to all DISH Network subscribers about new developments affecting DISH Network including the digital transition. Call center and consumer outreach efforts will help tailor the message and provide additional information as necessary as the transition approaches. We are also reaching out to, and educating, hundreds of nationwide retailers who have direct contact with subscribers.

Combined with other industry-wide efforts, these voluntary commitments will ensure that DISH Network subscribers are informed fully about the digital transition. There is, therefore, no need for Commission-imposed obligations to educate consumers in a particular fashion or at a particular time. Each company and industry should have the flexibility to tailor the scope,

timing, and form of digital television outreach efforts. In this regard, direct mailings or bill inserts discussed in the *Notice* would be an expensive proposition with negligible impact on DBS consumer education. *Notice*, ¶ 9. Experience has shown that subscribers do not review or retain information in that format effectively compared to other means discussed herein. Instead of imposing costly regulations – which would require resource-intensive oversight and enforcement – the Commission would be better served to encourage all industries to act proactively in a coordinated fashion, and promote third-party and industry educational efforts.

Respectfully submitted,

/s/ Linda Kinney

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