

COVINGTON & BURLING LLP

1201 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004-2401
TEL 202.662.6000
FAX 202.662.6291
WWW.COV.COM

BEIJING
BRUSSELS
LONDON
NEW YORK
SAN DIEGO
SAN FRANCISCO
SILICON VALLEY
WASHINGTON

MACE ROSENSTEIN
TEL 202.662.5460
FAX 202.778.5460
MROSENSTEIN@COV.COM

March 1, 2012

BY HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: IB Docket No. 11-149
New DBSD Satellite Service G.P., Debtor-in-Possession, and TerreStar
Licensee Inc., Debtor-in-Possession, Request for Rule Waivers and
Modified Ancillary Terrestrial Component Authority**

**IB Docket No. 11-150
DISH Network Corporation Files to Acquire Control of Licenses and
Authorizations Held By New DBSD Satellite Services G.P, Debtor-in-
Possession and TerreStar License Inc., Debtor-in- Possession**

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, ION Media Networks, Inc. ("ION"), writes in support of prompt approval of the referenced transactions and associated request for limited waivers of the Mobile Satellite Service ("MSS") integrated service requirement.

ION believes this proceeding affords the Commission an opportunity to advance one of its highest stated priorities -- providing new sources of broadband competition -- by allowing secondary market policies to work and providing flexibility that will facilitate the expeditious and efficient use of a scarce spectrum resource. And although the proceeding pertains only to spectrum in the 2 GHz MSS band, it has important implications for our national spectrum policy generally. Prompt approval of the transactions and grant of the limited waivers sought by DISH Network ("DISH") will enable DISH to repurpose underutilized spectrum, promoting a new cycle of investment and innovation for the benefit of wireless consumers.

ION is the last remaining truly independent national broadcast television network, unaffiliated with a domestic or foreign media conglomerate. ION's business is based entirely on

Ms. Marlene H. Dortch

March 1, 2012

Page 2

terrestrial broadcast spectrum and the company has a dedicated spectrum R&D division focused on developing new forward-looking combinations of content and spectrum to best serve consumers. ION does so in collaboration with other broadcasters, distributors, content producers, consumer advocates and regulators, and its credentials include pioneering advanced wireless television technology blueprints for services such as "Mobile DTV" and "DTV Max." This work gives ION a strong interest in seeing additional spectrum put to productive use for mobile broadband and leads it to support DISH's proposals for the 2 GHz MSS band.

ION believes that consumer and stakeholder value-maximizing spectrum utilization should be a function primarily of private market transactions between spectrum buyers and sellers. Such an approach, as presented in the referenced proceedings, harnesses free market mechanisms to produce optimal outcomes for the public and the country. Good public policy should encourage and enable licensees such as DISH to innovate in the area of spectrum utilization and optimization, in order to maximize the possibilities for new high value services to consumers -- subject, of course, to ensuring that incumbent users are not harmed.

Based on the record, DISH's planned terrestrial LTE Advanced network will promote broadband competition without interfering with or harming incumbent users. If FCC staff concurs with this finding, a flexible and pro-market approach to spectrum utilization in the MSS band will facilitate innovation and new product offerings. While ION has no current spectrum dealings with, or any direct or indirect business interests in, any of the parties to this proceeding, it is from this perspective that ION comments in support of prompt grant of the referenced transactions and waiver requests.

ION looks forward to working with the FCC in coming years on additional opportunities in this area, including some of the avenues outlined in the recently enacted H.R. 3630, the "Middle Class Tax Relief and Job Creation Act of 2012," related to "flexible use" in the broadcast band.

Respectfully submitted,

ION MEDIA NETWORKS INC.

By: 
Mace Rosenstein

Its Attorney