

United States Senate

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December 21, 2001

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, N.W.
Washington, D.C. 20554

Dear Mr. Chairman:

I am writing to express my strong reservations about the proposed merger between EchoStar and DirecTV.

I believe that the anti-competitive effects of such a merger, while felt nationwide, would be felt the most in rural and urban areas that do not have the option of cable service. Thus, I urge you to exercise considerable caution and scrutiny as the FCC considers the merger application of EchoStar and DirecTV.

If the merger of EchoStar and DirecTV is allowed to proceed, the result would be a single domestic Direct Broadcast Satellite (DBS) provider. This merged company would control virtually all of the DBS spectrum capable of serving the United States. I urge you to consider carefully the public policy implications of such an outcome.

I am concerned that, rather than helping to bridge the digital divide, the EchoStar-DirecTV merger would widen the chasm, as many rural and urban households would be at the mercy of a single entity that controls their only means of accessing digital and/or broadband service. This result is unacceptable in a world in which digital television and broadband Internet are becoming increasingly important means by which consumers gather and disseminate information.

Thank you for your attention to this important issue.

Sincerely,



Barbara Boxer
United States Senator

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Cc: Commissioners Abernathy, Copps and Martin