

I urge you to oppose the proposed merger between Echostar and DirecTV. This reduces the number of choices available to the consumer and, in many areas where satellite is the only choice, creates a monopoly. Echostar's argument that satellite will be finally be able to compete with cable is ridiculous. DBS satellite service is already very competitive with cable. Merging the two companies would give them an unfair advantage and for those who live in areas not served by cable it gives them only one choice.

The main problem DBS has is there are some households which simply cannot receive DBS broadcasts because an antenna would be physically obstructed from seeing the DBS satellites. A merger will not solve this problem.

Furthermore, Echostar's argument that it would be able to offer more local channels after the merger is misleading. Hughes/DirecTV has launched a Spot Beam satellite in order to comply with the satellite must carry rules and offer more local channels. DirecTV's spot beam satellite allows them to beam local channels only into their home markets there by saving spectrum.

There is no reason why both companies could not use more spot beam satellites with even smaller beams than the current one in use to offer even more local channels and there are many other technological solutions to Echostar's and DirecTV's supposed lack of competitiveness rather than have them merge to create a monopoly.

Echostar was completely unprepared and unwilling to comply with the January 1<sup>st</sup> 2002 must carry deadline and had to use its existing national satellites to add the additional local channel and there by increasing compression and reducing the quality of all to its channels to an almost unacceptable level. How can Echostar say that it wants to offer more local channels and better serve its customers when at this moment it is in court trying to avoid having to carry the local channels it already has on its system? Echostar is trying to buy its way out of a problem it created for itself by not taking the federally mandated must carry rules seriously. Please stop this merger.