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August 21, 2001

Mr. Michael K. Powell  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

RE: Proposed Bid by EchoStar Communications Corp. to buy DirectTV  
**Please don't allow this to happen**

Dear Mr. Powell:

I am appalled at the fact that EchoStar wants to buy another satellite company, which would not only provide EchoStar with a monopoly on this industry, but would create an even more horrendous situation: subjecting DirectTV customers to EchoStar's abysmal customer service policies, illegal business practices, and lack of ethics. **I strongly urge you to NOT approve this merger.**

Please see attached letter describing my excursion into hell with EchoStar (which to date has not been resolved). It would be a travesty of justice and basic decency to thrust EchoStar and its shady business dealings upon the unsuspecting customers of DirectTV.

Thank you for your time.

Sincerely,

*Toni Dockter*  
Toni Dockter

cc: Henry Mariani  
Charlie Ergen, EchoStar  
Odie Donald, DirectTV  
John Ashcroft, Attorney General of the U.S.  
Federal Trade Commission Bureau of Consumer Protection  
Federal Communications Commission, Consumer Complaints  
Attorney General, State of Colorado, Consumer Protection Dept.  
Better Business Bureau, State of Colorado  
Al Lewis, Denver Post  
Mark Schwanhausser, San Jose Mercury News  
National Cable and Telecommunications Association

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August 2, 2001

Mr. Brian Tasler  
Manager, Customer Service and Sales  
EchoStar Communications Corp.  
5701 South Santa Fe Drive  
Littleton, CO 80120

Dear Mr. Tasler:

I am responding to your letter dated July 25, 2001 because it is idiotic, illogical, and biased.

This is (approximately) my 18th attempt (through phone calls, faxes, letters, and e-mail) to resolve my account with Dish Network. This in itself speaks volumes regarding the pathetic level of customer service your company provides. Should anyone have to endure this much pain, suffering, grief, rudeness, idiocy, time, and energy to clear up a simple matter where I received no services from your company at all? I have said it before and I will say it again, Dish Network (along with its business partner MPI) is the most disgusting company I have ever had to deal with.

Yesterday in an e-mail to your CEO, Mr. Ergen, I told him that dealing with Dish was like wallowing in hell. Today I am still writhing in the bowels of hell with yet another piece of correspondence I am forced to write to your company because this matter is still not settled.

Per my conversation with Ms. Ortiz on 7/31/01, I realize you did not personally write the letter to me (she did). However, as a matter of ethics, you should be aware of all the facts of a customer's situation before signing a letter. The fact that you do not know what is going with my case but nonetheless make an erroneous decision speaks volumes about your level of competence and integrity.

If you had read "the notes" that are stored on the internet somewhere (per a hazy explanation by Ms. Ortiz) for phone calls made to your customer service reps, had read my faxes, and had checked with your technical department, you would know my situation.

In a nutshell: I attempted to enter into a contract for 1 year of cable programming. The first invoice for \$79.98 for programming arrived BEFORE my husband installed the dish on our roof. We paid the bill in good faith because we expected to receive at least a year's worth of cable service from Dish. We never expected anything to go wrong. However, when my husband installed the dish on our roof, he could not get your signal. He called your technical department for assistance. They were not able to help us receive your signal and concluded that it was not available to our house, possibly due to trees. (Side note: sounds like crummy Dish technology to me.)

At that point, we assumed that the transaction with Dish had ended. I packed up the Dish and sent it back to MPI (and I'll get to this unscrupulous company later).

But this was only the beginning of the Dish Nightmare. **DISHNETWORK/ECHOSTAR COMMUNICATIONS IS FRAUGHT WITH OPERATIONAL PROBLEMS.** You have an enormous customer service problem, accounting over-billing problems, shady business policies regarding billing adjustments (to be explained later in the Ziemer example), horrible business partner problems (to be explained later in the MPI example), technical problems, and intra-corporation communication problems. Here's an example:

**Why can't your company distinguish between activation and service?** We entered into a contract to receive programming - NOT ACTIVATION. Why isn't there a record of our inability to receive a signal? Why didn't your technical department inform your accounting department and/or customer service department that we were not able to receive a signal? You expected us to? That's ridiculous. How are we supposed to know that in your eyes, activation equals programming received. We got nothing. The account should have been closed. Instead, we started receiving invoices. The way your company works, you set the customer up to be ripped off through a faulty activation method that does not have the ability to recognize actual service. Then you extort customers to pay money for services never received.

Here's another stupidity in your organization: We received a couple phone calls from some automated system telling us that if we didn't pay our bills, our service would be terminated: WHAT SERVICE? And these phone calls came after I had begun my barrage of

correspondences to tell you we had never received one minute of service (programming) to begin with and quit billing us.

I first attempted to rectify this mess through telephone calls to your all-inclusive 800 number. But this was a big fat waste of time: You operate in a willy-nilly fashion with customer service centers all over the US. Who knows when you call who you will be speaking to, their level of politeness, intelligence, and training, and if they will ever record the conversation, the truth of a situation, and or even bother to do something about it. There is no consistent, coordinated, or competent effort to communicate with other customer service centers or other divisions (such as the technical dept., accounting, or corporate offices). No one knows what the others are doing and what the complete picture is. No one solves problems.

I made an attempt to explain to a customer service rep named LeLe (in May) that I never received any service whatsoever from Dish. This made no difference to her. She was completely unable to grasp the concept that a person should not have to pay for something he never received. I kept telling her I received no service (lack of signal at my house) and she kept telling me I entered into a contract for activation and had to pay. I told her I entered into a contract for SERVICE but did not get service. This made no difference to her. Her demeanor was completely unprofessional. I asked to speak to a supervisor. LeLe put me on hold - indefinitely. She never connected me to a supervisor.

We kept getting bills. I called again and spoke to a decent person named Adam, who actually was the ONLY PERSON IN YOUR ENTIRE ORGANIZATION who understood that I received nothing and that is not logical, ethical, or legal to charge a customer for nothing. He took action and eliminated the \$107.26 balance owed for NOTHING on my account. I thought, FINALLY, this mess with Dish is over -- my account is FINALLY closed. Not so.

We kept getting billed. I called again and tried to explain my situation to another customer service rep (don't recall her name). She was sympathetic but honest enough to tell me there was nothing she could do, did not know the name of a customer service manager at the Dish corporate office or its phone number, nor did she have the telephone number of your accounting department in Pasadena.

I could no longer get any kind of help calling on the phone. I tried to call information for your corporate office in Littleton, and the only number available was again your nebulous 800 number. How pathetic that you do not let your customers call you. Again that shows your contempt and disdain for the people who pay your salaries -- the customers. What a stupid business philosophy.

Trying to get in touch with someone at Dish who might be able to actually fix a problem is an effort in futility. There are no names and phone numbers available. And have you ever tried to fax to your "Customer Non-Care" number? What's up with that? It doesn't function correctly. You have to constantly transmit over and over and over and over and over and over and over and over again to get one lousy fax through. I must say, you have devised some wonderful systems to not only rip off customers (charging them for nothing) but infuriate them in the process. Interesting way you people do business.

I faxed a letter on 6/11/01 to your "Customer Care Dept." (which should be renamed Customer Non-Care and Disregard Dept.). Did you read this fax? Probably not. Did the content of this fax get entered into my customer file? Probably not? Did I receive any kind of response from this fax? NO.

Dish failed to take any action to clear up this mess and then had the audacity to turn us over to a collections agency! Are you nuts? This is an abhorrent and not to mention illegal way to conduct business.

I called the credit bureau, CBE, and explained to a man named Brad what the situation was. He understood that my account was fraudulently turned over to his company. He said I needed to fax a letter of explanation to their Cable Dispute Dept., which I did.

In a fax dated 7/10/01, I continued in my excruciatingly difficult quest to get this matter resolved. I reiterated I did NOT owe \$77.71 and Dish in fact owed me a refund of \$79.98 for services never received.

Then I received your stupid letter dated 7/25/01. First of all, you state you are in receipt of my "letter." Which one? And what about faxes and phone calls? Do I not get them acknowledged or do you know nothing about them? It was apparent you had no idea the ordeal I have been exposed to dealing with your company.

Second, you state I have the right to "cancel for service at any time..." WHAT SERVICES??????? Why should I have the responsibility to "cancel" for NOTHING RECEIVED?????????

Third, you state that "charges for services, once charges (spelling error on your part) to your account, are nonrefundable (another spelling error.) Again, do I have to say it, WHAT SERVICES?????????

Fourth, you stated "DishNetwork has researched your complaints and concerns." This is a lie, and you had no business, if you regard your professional reputation, to sign a letter that stated as much. Ms. Ortiz admitted to me on the phone in our conversation of 7/31/01 that she had not done all the research -- and then put me on hold "for a minute," she said, (it actually took around ten minutes) while she belatedly took the time to do it.

As a result, she had the sagacity to remove the \$71 you said I owed. Hallelujah! One part solved.

But this does not solve all my problems with your company.

1. There is the matter of a refund: You refuse to refund money paid for no services received. That makes you not only despicable, but liable for a mammoth class action law suit. What are you going to do about this?

2. There is the matter of Dish ruining my pristine credit rating with CBE. What are you going to do about this?

3. There is the matter of your business partner, MPI, who like you, expects to get paid for NOTHING. (I guess unscrupulous birds of a feather stick together?) My husband wrote them a letter and I faxed a copy to Customer Non-Care. Did you get it? Probably not. We returned the dish to MPI. They are in the process of trying to rip us off for \$299 by charging our Discover Card. This company is equally as disgusting as your company, which only exacerbates the hell I have been going through with the two of you. What are you going to do about this?

In addition (and here is where you really look like an idiot), I received a letter you wrote to an attorney named Mr. Ted C. Ziemer, Jr. regarding a complaint from another one of Dish's customers, Mr. Ted Ziemer. You state that you cannot find Mr. Ziemer's contract. How

convenient of you. Mr. Ziemer's case is not totally unlike mine. He had signal problems so he canceled his service (at least he got some service) and you removed \$268.94 overbillings from his account.

Why did Mr. Ziemer get his account adjusted and I did not? Was it because Mr. Ziemer hired an attorney (another Mr. Ziemer) and it is harder to rip off people who have lawyers as opposed to people like me who is attempting to get customer satisfaction on my own accord? Or is it because I am a woman and Mr. Ziemer is a man and it is easier to rip off women than men.

This whole incident with Mr. Ziemer's case vs. mine smacks of sexual discrimination, legal bias, highlights inconsistent business practices, and points out the arbitrary way you personally make decisions. Someone should audit the number of favorable adjustments made for men customers compared to women customers, as well as those made for lawyer-involved customers compared to those customers acting by themselves. I think you would find the results skewed more favorable toward men and/or those customers with lawyers.

By the way, we have a company attorney, and in case you weren't aware, trial lawyers love to take on illegal business practice cases.

Dish and MPI have exposed me to enormous amounts of stress (saying I owe money when I don't, getting extorted for \$299, ruining my credit, etc.). I have been popping aspirin and Advil daily as a result. I will not stand for getting ripped off. I have a multitude of options open to me to, including complaints to the FCC, FTC, the Colorado State Attorney General's Office, city attorney's office, city councils, consumer protection groups, better business bureaus, media outlets, cable associations, and much more. In fact, there are so many avenues for me to pursue, including a trial by jury, that perhaps your company will endure so much negative exposure that my slogan "dealing with Dish Network is like wallowing in hell" will take hold in the media. And perhaps one day DishNetwork and Hell will become synonymous. Who knows...

I'm asking you, Mr. Tasler, what are you going to do about all of this?

Here's what I want you to do:

1. Refund our \$79.98.
2. Rectify the situation with CBE Credit Bureau and restore our perfect credit history.
3. Order MPI to not recharge our Discover Card or we will engage in litigation with both your companies.

I anxiously await your decision as I honestly cannot take much more of this.

Sincerely,

Toni Dockter

cc: Henry Mariani, Attorney-at-Law  
Discover Card Dispute Dept. Attn: Krista  
President - MPI  
Charlie Ergen, CEO, EchoStar Communications  
Michael Dugan, President, EchoStar Communications  
Soraya Hesabi-Cartwright, VP Customer Service,  
EchoStar Communications  
David Moskowitz, VP Legal and Business Affairs,  
EchoStar Communications