

April 10, 2002

ELECTRONICALLY FILED

William F. Caton
Acting Secretary
Federal Communications Commission
445 Twelfth Street, SW – Room TW-A325
Washington, D.C. 20554

**Re: Ex Parte Notice – Consolidated Application of EchoStar
Communications Corporation, General Motors Corporation and
Hughes Electronics Corporation for Authority to Transfer Control,
CS Docket No. 01-348**

Dear Mr. Caton:

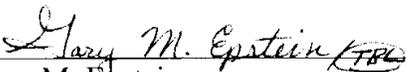
In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, Applicants EchoStar Communications Corporation ("EchoStar"), General Motors Corporation and Hughes Electronics Corporation ("Hughes") submit this letter to advise the Commission of the procedures they intend to follow in providing qualifying representatives of petitioners and commenting parties access to certain detailed subscriber count and subscriber churn rate data, broken down by ZIP code and Designated Market Area, that has been produced to the Department of Justice ("DOJ") in response to DOJ requests for additional information and to the Commission's February 4, 2002 Initial Information and Document Request. Those procedures are set forth in Attachment I to this letter.

The attached procedures will permit other parties to undertake statistical analyses for use in their presentations to the Commission in this proceeding but at the same time will prevent copying of the highly detailed raw data that has been prepared, which is of the utmost commercial and competitive sensitivity. EchoStar and Hughes stand ready to make the data available to qualifying representatives of other parties under these procedures promptly upon reasonable notice following the issuance of an amended or revised protective order that provides for the designation of material and information to which only outside counsel and outside consultants may be given access.

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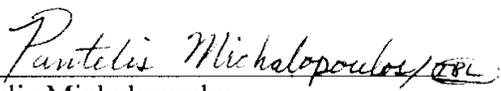
One copy of this *ex parte* notice is being filed electronically with the Commission. If you have any questions concerning this notice or the attached procedures, please do not hesitate to contact the undersigned.

Respectfully submitted,



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PROCEDURES FOR REVIEW OF SUBSCRIBER DATA

1. Each Applicant's data will be loaded in Excel format on a device from which no printing or copying is possible (either a free-standing CPU on which ports have been removed or disabled or a dumb terminal).
2. Access will be available only to outside counsel and consultants, subject to appropriate undertakings pursuant to an amended FCC protective order ("Qualifying Persons").
3. Qualifying Persons who wish to use the data will be required to schedule visits with appropriate advance notice, etc. and reasonable duration. Consistent with standard protective order procedures, Applicants may have an observer (such as a paralegal) in the room with the visitor to monitor compliance with the protective order and procedures.
4. Qualifying Persons may not bring any electronic devices, such as laptops or data storage devices, with them.
5. At the request of Qualifying Persons, with three days notice, Applicants will load the computer with a standard statistical software package commonly used by economic experts in this type of analysis.
6. Qualifying Persons will be allowed to bring programs/models in the language of the designated statistical software package on a CD-rom for loading onto the computer by Applicant's technical support personnel.
7. Qualifying Persons may copy their end-level results (which cannot include Applicants' raw data) on paper before leaving.
8. Multiple visits will be permitted. Qualifying Persons will be allowed to save files on the computer in an encrypted, password-protected file. Neither Applicants nor their counsel or consultants will be allowed access to those files. Qualifying Persons may direct Applicants to delete the files upon completion of their analysis.