

Dear Federal Communications Commission,

I live in an area not served by cable and currently EchoStar's Dish Network and Hughes DirectTV are the only options for Multi-Channel Video Distribution. Although C-Band is available I feel it is not a competitor to DBS because of it's larger size and higher maitainence. I am against this merger because if granted I will only have a one or nothing choice for a Multi-Channel Video.

If the FCC does decide to let these two companies combine I ask that there be a condition that nine months after the merger EchoStar must return all licenses to the 101 West Long. orbital location to the Commission to auction off to another provider. By it's own admission EchoStar doesn't need full use of the three full-CONUS DBS slots to better compete with cable. In EchoStar's March 5th, 1999 Petition to Deny the assignment of Tempo's DBS licenses to DirectTV (File No. SAT-ASG-1990127-00014) EchoStar states in paragraph 2 "The use of two adjacent full-CONUS slots allows an effecient and attractive MVPD offering."

Further EchoStar stated in the same paragraph "However, the Commission should not permit a single operator to use spectrum at all three full-CONUS orbital locations." EchoStar is now asking the Commission to give it 100% of all three full-CONUS slots and to permit the New-EchoStar (a single operator) to use spectrum at the three full-CONUS locations. Since EchoStar in the past has asked the Commission not to allow a single operator to use spectrum at all three full-CONUS slots the Commission should not grant 100% of the full-CONUS spectrum to the New-EchoStar.

Respectfully Submitted,

Eugene R. French