



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

May 20, 2002

The Honorable Arlen Specter
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Specter:

Thank you for your letter of April 23, 2002, concerning the application filed by Digital Broadband Applications Corporation ("DBAC") to provide competitive integrated broadband video and data services to U.S. consumers via an advanced hybrid satellite network. In your correspondence, you request that the Commission consider acting on pending applications for new entrants in the satellite broadband video and data service market, such as the DBAC Application, prior to approving the pending transaction involving EchoStar Communications Corporation and General Motors Corporation's subsidiary, Hughes Electronics Corporation, which includes its satellite television unit, DirecTV.

The Commission's International Bureau placed the DBAC Application on Public Notice in January 2002, and established a comment cycle that closed in March 2002. As you note in your letter, parties have filed petitions to deny the DBAC Application. The Commission staff currently is reviewing the DBAC Application and the pleadings filed in the proceeding. I assure that the Commission will act on the DBAC Application as expeditiously as possible.

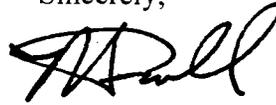
With regard to the EchoStar/DirecTV proceeding that you cite in your letter, I have established a special team of Commission staff to coordinate and oversee the Commission's review of the license transfers applications, which were filed on December 3, 2001. The Commission issued a Public Notice on December 21, 2001, establishing a pleading cycle that closed on February 25, 2002. Parties filed more than 50 pleadings, including petitions to deny, comments, and replies. On April 19, 2002, the Commission's Media Bureau issued a further Public Notice in that proceeding seeking comment on a proposal submitted by EchoStar and Hughes to launch and operate a Direct Broadcast Satellite with spot-beam technology capable of providing local-into-local service. The Bureau found that this application raised issues that are directly relevant to the issues under consideration in the license-transfer proceeding, and thus is treating it as a major amendment to the EchoStar/DirecTV proposed transaction. The pleading cycle for that Public Notice closes on June 4, 2002.

Please be assured that the Commission is committed to providing each proposal a careful and thorough review, and intends to consider fairly the issues involved in applications that may bring benefits, such as new advanced and broadband services, to the U.S. consumer. In that regard, we will include a copy of your letter in the record of each of these proceedings. I

appreciate your views and correspondence on this matter. Please do not hesitate to contact me if you have any further questions or concerns.

*Specter -
hope this letter
finds you well.*

Sincerely,



Michael K. Powell
Chairman