

This comment is Against the EchoStar and DirecTv merger. As a satellite dealer, and a small one might I add, I have much fear to the proposed merger. This fear is giving one person or entity too much power. Echostar is presently trying to buy the last remaining C-band manufactureres and then the end is emanent.

I have been in this industry for quite some time, and there was a day that I could trust and believe in Charlie Ergen, CEO of Echostar. But the last few years have marked much change in the way Echostar has dealet with their dealers. We have floating contracts that change on a whim now, and the conditions that we are put into under those contracts are apalling. We fear a contract situation forced upon us called a charge back, which some conditions may be of error of DISH, yet the dealer suffers the loss, much less have control over a customers account activity to prevent other charge-backs. We get charged-back on installations for which dealers have expended time, labor and material expense.

All this and more started about the time that consumer electronics stores began to take notice of what was once and underdog company. Prior to that, dealers were promised lifetime residuals and were often told we were secure in our industry, and even that DISH would never be sold in such places as Wal-Mart. Dish had not advertised except through it's dealers until they were being recognized by the C.E. stores, moreso "warehouse" stores. Then when they did start to advertise, they immediately went into serious competition against it's own dealers.

Today we have to track every dollar, and I mean dollar. This is because they even charge-back the dealer the residuals, which don't start when the subscription does anyway. The contract technically binds your charge-backs even after the first year, based on installation. These judgements are made by unskilled laborers who benefit from reporting any installation as un-acceptable and collecting such installation moneys for a repair...that may not have even existed in the first place.

It's really not the company it was many years ago (DISH). And now, they appear to be on the edge of total control of the satellite industry. This will be the end to many Small Businessmen who, like I, have invested much into this industry, just to have it taken out from underneath us. But this is not just the reason I write against the merger.

One of Charlie Ergen's statements claim that only a combined company will be able to uplink all the major cities in the US. So this also concludes to mean that there will never be a competing source that will be able to do anything close to what they can do. Clearly this is a monopoly. Now, let us reflect to having two or more companies offering the mass choice of channel packages, and having those companies to use one platform which can be done now with existing technology.

Imagine if you will, All major cities up-linked by DISH or DirecTv, or other competing source, and they all use the same data streams as each other. Receivers would be built by various manufacturers and shipped without smart cards (something Charlie Ergen mentioned

about card-less receivers. Customers could have their choice of models and features as they chose from satellite dealers, direct from the provider or major chain stores. And when they buy their system from dealers or major chain stores, they would just call the provider they chose to order the programming package and the local channels for that particular area. The up-linking "vendor" would make the profit of the uplink for the most part. This would inspire competing companies to up-link major cities for more revenue, or even the stations themselves may do the up-link.

The FCC should create and enforce such "evolving" technology just as it has with High Definition Television which all local broadcast stations must conform to by a certain date. So should these companies of satellite. The merger is bad for dealers and the technical aspect of up-linking major cities is capable by necessity rather than merger.

Signed;
Concerned small business person and long time satellite dealer,
Raymond Storla.