

COMMENTS OF THE WRITERS GUILD OF AMERICA
IN OPPOSITION TO THE PROPOSED MERGER OF ECHOSTAR AND DIRECTV

Relating To:

CS Docket 01-348: EchoStar Communications Corporation, General Motors Corporation,
and Hughes Electronics Corporation

Filed By Charles B. Slocum, February 4, 2002

on behalf of

Writers Guild of America, west, Inc.
7000 West Third Street
Los Angeles, CA 90048

and

Writers Guild of America, East, Inc.
555 West 57th Street
New York, NY 10019

The Operation of EchoStar and DirecTV
As Distinct Commercial Services
Is A Vital Source of Real Competition
In the Delivery of Multi-Channel Video Program Services

The Public Interest in Diversity of Program Content
Requires that the Proposed Merger be Denied

The Writers Guild of America (west and East, together the “WGA”), which represents the 11,500 men and women who write virtually all the national entertainment programming and much of the national news Americans see, believes that the television industry has consolidated to a degree harmful to the public interest in a competitive market for television programs.

The DBS services DirecTV and EchoStar are a growing source of choice for the consumer. With the apparent economic barriers to cable overbuilds on any wide scale, we note that the separate operation of DirecTV and EchoStar provides the only hope of three choices for the consumer.

The consummation of the proposed merger of the two DBS services would extinguish the possibility of a third choice and reduce consumers to just two.

Three is vitally better than two.

A review of their channel lineups shows that the competition between Echo-Star and DirecTV appears to have made Echo-Star differentiate by offering more niche channels. The incentive for this diversity cannot be lost.¹

The Commission must act to keep Echo-Star and DirecTV separate.

¹ See www.directv.com and www.dishtv.com.