



Federal Communications Commission
Washington, D.C. 20554

March 7, 2002

via telefax and e-mail

Pantelis Michalopoulos
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Steptoe & Johnson LLP
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Washington, D.C. 20036-1795

Gary M. Epstein
Counsel for General Motors Corporation and Hughes Electronics Corporation
Latham & Watkins
555 11th Street, N.W.
Washington, D.C. 20004

Re: 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. Michalopoulos and Mr. Epstein:

On March 5, 2002, on behalf of EchoStar Communications Corporation, General Motors Corporation and Hughes Electronics (the "Applicants"), you requested an extension of time of 15 days until March 21, 2002, to respond to the Commission's February 4, 2002, Initial Information and Document Request (the "Request").¹ In that Request, the Commission asked the Applicants to provide documents and information by March 6, 2002, to assist us in our review of the proposed transfer of control of various authorizations and licenses.

The request for extension of time is denied. The Commission is committed to an aggressive, 180-day review period for proposed transactions. It is incumbent upon applicants to provide requested documents and information in a timely manner. To the extent that they fail to do so, the Commission cannot give proposed transactions full and fair consideration in an expeditious fashion. Accordingly, as it is now clear that the March 6, 2002, deadline has not been met, we expect the Applicants to submit the requested documents and information as soon as possible. Until such time as they do so, we stop the 180-day clock for consideration of the above-referenced application effective today (Day 77).

¹ Letter to William F. Caton, Secretary, FCC, March 5, 2002.

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We note that, at a February 21, 2002, meeting, you indicated to Commission staff that the Applicants would substantially comply with the Request by March 6, 2002. Your letter now indicates that you will only commence compliance on that date with respect to certain documents. In addition, to the extent you sought Commission approval of certain procedures and search parameters for compliance with the Request, your request for such approval was sent concurrent with the request for an extension of time, a day before the required response date.²

We further note that your ex parte notice regarding the February 21, 2002, meeting was filed with the Commission on March 5, 2002. Your delay in filing this notice is contrary to Commission's rules.³ You are reminded that, pursuant to Section 1.1206(b)(2), you are required to file written notice of an oral presentation to Commission staff no later than the next business day following the presentation. Under Section 1.1216, violations of the ex parte rules may result in sanctions, including forfeitures. We admonish the Applicants to comply with the ex parte requirements on a going-forward basis, and caution that future violations will be referred to the Office of General Counsel for further action pursuant to Section 1.1214.

If you have any questions regarding this matter, please contact Marcia Glauberman, Policy and Rules Division, Cable Services Bureau, 202-418-7046.

Sincerely,

W. Kenneth Ferree
Chief, Cable Services Bureau

² Letter to W. Kenneth Ferree, Cable Services Bureau, from Pantelis Michalopoulos and Gary M. Epstein, March 5, 2002.

³ See *Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings*, Public Notice, 15 FCC Rcd 19945 (2000).