



*Alison Minea
Corporate Counsel
alison.minea@dishnetwork.com
(202) 293-0981*

October 22, 2010

EX PARTE PRESENTATION

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte Presentation in MB Docket No. 10-56, Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. For Consent to Assign Licenses or Transfer Control of Licensees*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network ("DISH") submits the attached slides distributed at a series of separate meetings yesterday with Commission staff regarding the proposed acquisition by Comcast Corporation ("Comcast") of NBC Universal ("NBCU"). DISH met with Rosemary Harold, legal advisor to Commissioner McDowell; Commissioner Mignon Clyburn, Louis Peraertz, legal advisor to Commissioner Clyburn, and Alexander Reynolds from Commissioner Clyburn's office; and Krista Witanowski, legal advisor to Commissioner Baker. DISH also met with the Commission's Transaction Team as follows: John Flynn, James Bird and Joel Rabinovitz of the Office of General Counsel; and Deborah Broderson, Marcia Glauber, Judith Herman, Daniel Shiman, Diana Sokolow and Julie Salovaara of the Media Bureau. Present at the meetings on behalf of DISH were Roger Lynch, Jeff Blum, Alison Minea, David Goodfriend and Alex Constantine.

During the meetings, we discussed potential harms to traditional and online video competition that would result from the combination of Comcast and NBCU. In particular, we emphasized that strong conditions on the merger will be necessary to prevent Comcast from abusing its control of the broadband pipe to harm competition from both traditional pay-TV providers and from emerging online video providers. FOX Network's recent decision to block consumers with Cablevision IP addresses from accessing FOX content on its affiliated websites, Fox.com and Hulu.com, confirms the need for Commission action to safeguard consumers' access to online content. Comcast's control of the broadband pipe would give it an even greater incentive and ability to block or degrade access to online content as a negotiating tactic for programming deals, including deals for NBCU's must-

have content. More broadly, we explained that Comcast has the incentive and ability to (1) apportion greater bandwidth on its broadband pipe to offer dedicated access to affiliated online and IP-delivered video service while squeezing the amount of capacity available for public Internet access and (2) enter into “paid prioritization” arrangements for carriage of favored content on the public Internet.

Respectfully submitted,

/s/ Alison Minea

Alison Minea

cc: John Flynn
James Bird
Deborah Broderson
Marcia Glauberman
Rosemary Harold
Judith Herman
Louis Peraertz
Joel Rabinovitz
Alexander Reynolds
Daniel Shiman
Diana Sokolow
Julie Salovaara
Krista Witanowski

Enclosure




Comcast-NBCU Proposed Merger


October 21, 2010


Threat of Broadband Abuses by Comcast


Broadcasters have proven they are prepared to cut off online access during programming disputes

 Last weekend, FOX blocked Cablevision Internet subscribers from accessing online FOX content on Hulu.com as well as Fox.com

Post-merger, the combined entity will be able to leverage its control of Comcast's broadband pipe during programming disputes

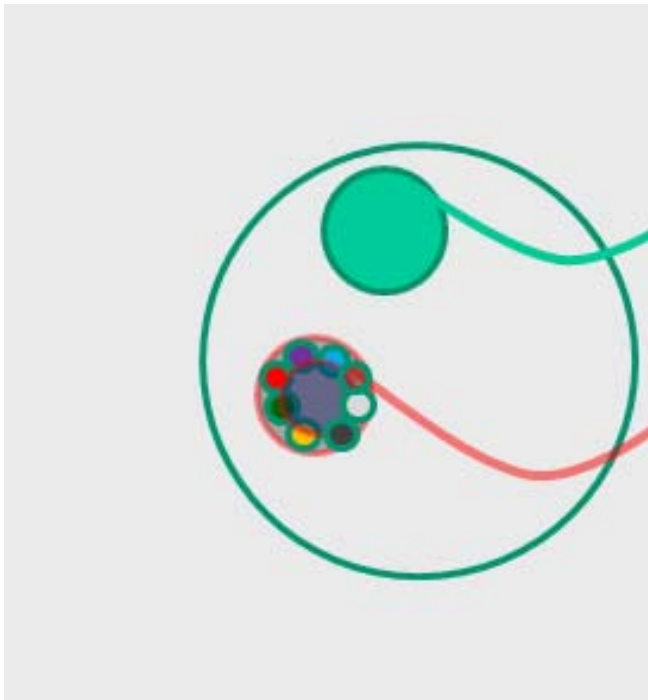
 Comcast has the incentive and ability to leverage its control of the broadband pipe to selectively block or degrade online affiliated content during programming disputes with MVPDs

 Comcast also has the incentive and ability to block or degrade MVPDs' online products and services (like Sling and DishOnline) during programming disputes

 FOX's actions directly contradict Comcast/NBCU's claims that that NBCU's ownership interest in Hulu carries no control rights and need not be considered in the merger analysis.


Comcast's Control of the Broadband Pipe

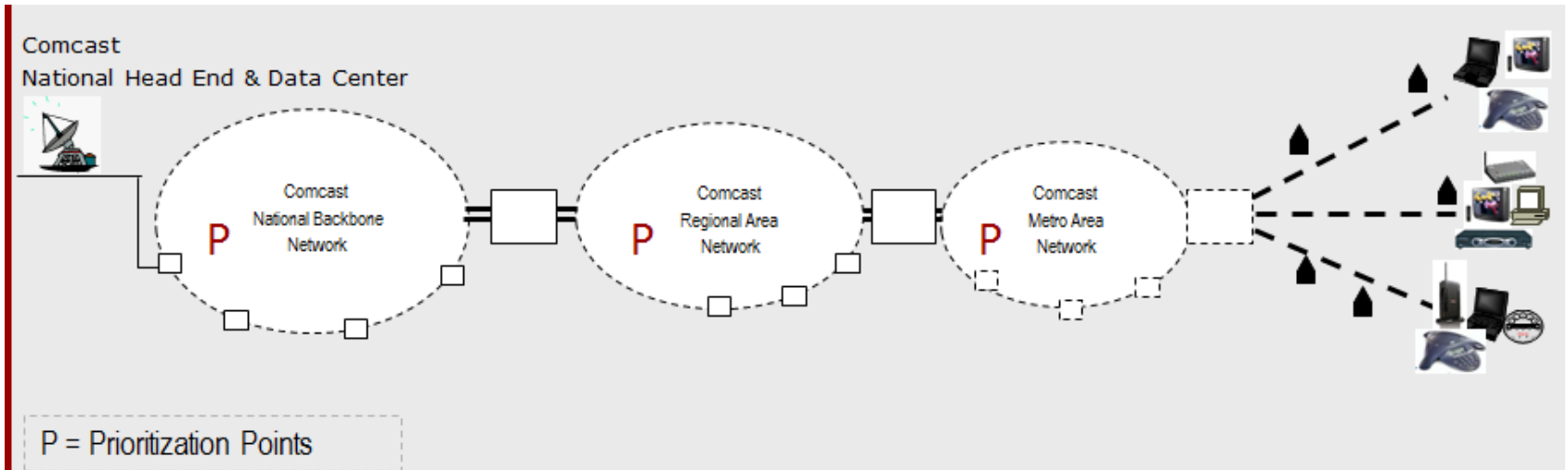
 Comcast can provision dedicated bandwidth for its own online video



- Comcast can provision dedicated bandwidth exclusively for its own online video content
- All competitors' online video services must run on the common public Internet portion of the pipe, where they contend with each other and with other Internet traffic

Comcast's Control of the Broadband Pipe

 Comcast can prioritize the delivery of its own online video riding on the public Internet



 Comcast can selectively block or degrade competitors' online video at these same points

Contact Information

Roger Lynch, EVP Advanced Technologies
Jeff Blum, SVP and Deputy General Counsel
Alison Minea, Corporate Counsel

DISH Network
202-293-0981
1110 Vermont Ave. NW, Ste. 750
Washington, DC 20005