

Resolution Concerning the Merger of Hughes Electronics Corporation
and EchoStar Communications Corporation

WHEREAS, The NARUC has consistently maintained that the promotion of advanced services deployment under Section 706 is a joint federal and State responsibility; and

WHEREAS, Satellite services may be the only option for broadband access for millions of homes in rural America that cannot now be served by terrestrial broadband infrastructure such as cable modem or digital subscriber line ("DSL") technology; and

WHEREAS, On December 3, 2001, the FCC received applications requesting consent to the transfer of control of licenses and authorizations held by Hughes Electronics Corporation (Hughes) and its subsidiaries and affiliates and by EchoStar Communications Corporation (ECC) and its subsidiaries and affiliates (collectively, the Applicants) to EchoStar Communications Corporation; and now therefore be it

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC), convened in its February 2002 Winter Meetings in Washington D.C., believes that the merger may have important implications for broadband competition in rural areas; and be it further

RESOLVED, That NARUC neither supports nor opposes the merger on its face; and be it further

RESOLVED, That NARUC urges the FCC to evaluate and weigh the effects on the rural broadband market in its

consideration of the merger; and be it further

RESOLVED, That the General Counsel is directed to make these positions known to the FCC through appropriate means.

Sponsored by the Committee on Telecommunications

Adopted by the NARUC Board of Directors February 13, 2002