

**REQUEST FOR INFORMATION AND DATA TO  
DISH NETWORK CORPORATION**

1. Identify, as of June 30, 2012, December 31, 2012, June 30, 2013, December 31, 2013, June 30, 2014, December 31, 2014 and June 30, 2015, each system owned by, operated by, managed by, or attributed to the Company in the states of California, Nevada, Hawaii and New York, and for each system in these states identify the nature of the Company's interests, and state and identify the following in CSV format files:
  - a. the Company's data as specified in Attachment A, which seeks data relating to geographic identifiers associated with each system;
  - b. the facilities-based competing providers of Internet access service and MVPD service (excluding private cable and wireless cable operators), separately identified by service and provider, and the distribution technology used by the competing provider (e.g., wireless, fiber optic cable, hybrid fiber optic cable, or satellite) for each zip code served;
2. For each zip code identified in Request 2(a) and for the Company as a whole, separately for residential subscribers, bulk residential, and non-residential subscribers, and for each month for the period beginning June 2012, through August 2015 in the states of California, Nevada, Hawaii and New York provide the following:
  - a. the Company's data as specified in Attachment B, which seeks subscriber data relating to each of the Company's service plans;
  - b. a complete description of all services that were included in the Company's response to the "Marginal Recurring Revenue", "Recurring Core Service Plan Revenue", and "Recurring and Non-Recurring Revenue Per Subscriber" fields in the "Service Plan" table mentioned in subparagraph (a);
  - c. the Company's data as specified in Attachment C, which seeks data relating to disconnects; and
  - d. a description of the main types of disconnects that are included in each of the four categories of disconnects - mover, voluntary, non-payment, and all other - reported in Attachment C, an explanation of the methodology the Company uses to estimate the number of disconnects in each category including a discussion of the extent to which the Company is unable to obtain information on the reason for the disconnect and how the disconnect is classified in such cases.
3. In a separate CSV format file, calculate the Company's:

- a. monthly residential per subscriber profit margins for MVPD Service;
- b. provide a complete and detailed description of the methodology used to calculate subpart (a).

## **Definitions**

The following definitions apply only to this Request for Information and Data. They are not intended to set or modify precedent outside the context of this document. In this Request for Information and Data, the following terms shall have the following meanings (such meanings to be equally applicable to both the singular and plural forms of the terms defined):

1. The term “Company” means Dish Network Corporation and its Subsidiaries.
2. The terms “and” and “or” have both conjunctive and disjunctive meanings.
3. The word “any” shall be construed to include the word “all,” and the word “all” shall be construed to include the word “any.” The word “each” shall be construed to include the word “every,” and the word “every” shall be construed to include the word “each.” All words used in the singular should be construed to include the plural, and all words used in the plural should be construed to include the singular.
4. The term “identify,” when used with reference to a Person or Persons, means to state his/her full legal name, current or last known business address, current or last known telephone number, current or last known organization, and position therewith.  
“Identify,” when used with reference to a document, means to state the Bates number, date, author, addressee, type of document (e.g., the types of documents, as described above), a brief description of the subject matter, its present or last known location, and its custodian, who must also be identified. “Identify,” when used with reference to an entity other than a Person, means to state its name, current or last known business address, and current or last known business telephone number. The term “identify” when used with reference to a census block means to geocode the census block using the 2010 Census Block Identifier.
5. The term “Internet Access Service” means the provision to end users of connectivity to the Internet by any means, including, for instance, hybrid-coaxial, optical fiber or coaxial cable, xDSL, satellite systems, fixed or mobile wireless services, ultra-high frequency microwave (sometimes referred to as “LMDS”), or multichannel multipoint distribution services.
6. The term “Multichannel Video Programming Distributor” or “MVPD” means an entity, including but not limited to, a cable operator, which is engaged in the business of making available for purchase, by subscribers or customers, multiple channels of Video Programming.
7. The term “MVPD Service” means the distribution of Video Programming or Online Video Programming by an MVPD to consumers, including but not limited to, distribution as part

of a programming package or tier or on an individual basis, and distribution as part of TV Everywhere or Non-Broadband Internet Access Service Data Services, regardless of whether such programming is distributed inside or outside of the MVPD's footprint.

8. The term “Non-Broadband Internet Access Service Data Services” means services that share capacity with Internet Access Service over providers’ last-mile facilities.
9. The term “Online Video Programming” means Video Programming that is intended for distribution by means of the Internet or other IP-based transmission path.
10. The term “Online Video Distributor” or “OVD” means any entity that provides Video Programming by means of the Internet or other IP-based transmission path provided by a person other than the OVD. Unless otherwise stated, an OVD does not include an MVPD inside its MVPD footprint or an MVPD to the extent it is offering Online Video Programming as a component of an MVPD subscription to customers whose homes are inside its MVPD footprint.
11. The term “Person” includes the Company, and means any natural person, association, partnership, corporate entity, joint stock company, trust, unincorporated association, joint venture, limited liability company or other entity, or a government or any political subdivision or agency thereof.
12. The term “plans” means tentative and preliminary proposals, recommendations, or considerations, whether or not finalized or authorized, as well as those that have been adopted.
13. The term “relating to” means in the whole or in part constituting, containing, concerning, discussing, describing, analyzing, identifying, or stating.
14. The term “Subsidiary” as to any Person means any corporation, partnership, joint venture, limited liability company, or other entity of which shares of stock or other ownership interests having ordinary voting power to elect a majority of the board of directors or other managers of such corporation, partnership, joint venture, limited liability company or other entity are at the time owned, or the management of which is otherwise controlled, directly or indirectly, through one or more intermediaries, or both, by such Person.
15. The term “Video Programming” means programming provided by, or generally considered comparable to programming provided by, a television broadcast station or cable network, regardless of the medium or method used for distribution, and includes but is not limited to: programming prescheduled by the programming provider (also known as scheduled programming or a linear feed); programming offered to viewers on an on-demand, point-to-point basis (also known as VOD or PPV); short programming segments (also known as clips); programming that includes multiple video sources (also known as feeds, including camera angles); programming that includes video in different qualities or formats (including high-definition, 3D and 4K); and films.
16. The term “Video Programming Distribution” means the provision of Video Programming to consumers.