



Federal Communications Commission
Washington, DC 20554

International Bureau

September 23, 2004

Mr. Pantelis Michalopoulos
Counsel for EchoStar VisionStar Corp.
c/o Steptoe & Johnson LLP
1130 Connecticut Avenue, N.W.
Washington, D.C. 20036

RE: VisionStar Inc. and EchoStar VisionStar Corp., Application for Review, File No. SAT-T/C-20001215-00163; FOIA Request No. 21-220.

Dear Mr. Michalopoulos:

This letter is in reference to the Application for Review¹ filed by Echostar VisionStar Corporation (VisionStar) of the decision of the International Bureau to deny confidential treatment of certain information provided to the Commission as part of the transfer of control of VisionStar to EchoStar Satellite Corp. (EchoStar).² Due to subsequent events – including the access provided to the information by means of a protective order,³ Pegasus Development Corp.'s communication indicating that it 'does not have an outstanding FOIA request' in this matter,⁴ and the conclusion of the underlying transfer of control proceeding for which the information was sought⁵ – we find that it is no longer necessary to rule on the Application for Review. Accordingly, we dismiss the Application for Review as moot. Since there is no longer a request to access the information, we will not at this time make public the information not already released by VisionStar and EchoStar, but will treat it in the same manner as all information for which confidentiality is requested pursuant to the Commission's regulations, 47 C.F.R. § 0.459.

Sincerely,

Thomas S. Tycz
Chief
Satellite Division

¹ VisionStar, Inc. and EchoStar VisionStar Corp., Application for Review, File No. SAT-T/C-20001215-00163, filed Aug. 10, 2001.

² VisionStar, Inc., Application for Transfer of Control, File No. SAT-T/C-20001215-00163, filed Dec. 15, 2000.

³ *VisionStar, Inc.*, Order Adopting Protective Order, DA 01-2215, 16 FCC Rcd 16967 (Int'l Bur. 2001).

⁴ Electronic Mail message from Tony Lin, Esq. to Laurence Schecker, Office of General Counsel (Jan. 8, 2004).

⁵ *VisionStar, Inc.*, Order and Authorization, DA 01-2481, 16 FCC Rcd 19187 (Int'l Bur. 2001). Pegasus has withdrawn its petitions for reconsideration of this Order. See Pegasus Development Corp., Notice of Withdrawal, File No. SAT-T/C-20001215-00163, filed July 11, 2003.

cc: Bruce D. Jacobs
Tony Lin
Shaw Pittman
2300 N Street, N.W.
Washington, D.C. 20037
Counsel for Pegasus Development Corp.