February 19, 2026

The Honorable Brendan Carr
Chairman
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Dear Chairman Carr:

We represent the interests of a broad coalition of infrastructure providers, communications service providers, contractors, equipment manufacturers, and property owners whose operations have been placed at risk by EchoStar/DISH's abrupt suspension of payments. This widespread nonperformance is already causing financial strain, work stoppages, decommissioning concerns, and uncertainty across the wireless and communications services ecosystem.

At the same time, DISH Wireless and its parent EchoStar are seeking FCC approval of major spectrum transfers. As reflected in the record, the transactions are closely linked to DISH's effort to use corporate restructuring and alleged "FCC actions" as a pretext to avoid paying its lawful obligations. Nonpayment and the resulting work stoppages and decommissioning risks directly threaten the continued operation and reliability of the infrastructure necessary to support the spectrum licenses at issue, elevating these issues from private disputes to transaction-specific public-interest concerns. EchoStar has indicated DISH Wireless will not receive sale proceeds at closing—an attempt to render DISH judgment proof while EchoStar collects billions. This strategy presents clear transaction-specific public interest harms that the Commission has long recognized as grounds for narrowly tailored transaction conditions.

The harms extend across the wireless ecosystem. Wireless infrastructure, communications networks, and related assets are financed as long duration, low risk infrastructure, backed by pension funds, insurers, and long-term investors who rely on stable lease performance. Eroding confidence in the use of long-term agreements will increase capital costs, slow deployment, reduce the likelihood of new facilities-based competitors, and ultimately harm consumers. And concerns about decommissioning may limit critical deployment opportunities on private and public property in the future. These impacts cannot be remedied after the fact by the Commission—they require FCC action prior to approval of the spectrum transactions.

We are the entities that are building America's communications infrastructure directly in support of your Build America agenda. EchoStar's actions threaten that agenda. Accordingly, we ask you to take action to protect the integrity of the FCC's processes from corporate shell games for the future of all wireless infrastructure builders and the communities who benefit from the networks we build.

Sincerely,

The American Wireless Builders Coalition

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President and CEO
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Kenny Burgos
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