



WASHINGTON, DC

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May 14, 2009

BY HAND DELIVERY AND ELECTRONIC POSTING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re: Ex Parte Presentation in MB Docket No. 07-57,
Implementation of Third-Party Access Commitment**

Dear Ms. Dortch:

On May 13, 2009, representatives of RSS Network Corp. ("RSS") met with Rudy Brioché, Legal Advisor to Commissioner Adelstein, to discuss matters relating to the implementation of the Third-Party Access Commitment for the channels on its satellite radio platforms that Sirius XM Radio, Inc. has voluntarily committed to lease to a Qualified Entity or Entities. RSS, which has created the Radio Spanish Satellite service to provide the nation's Hispanic audiences with new, innovative, and original satellite-delivered Spanish-language audio programming, was represented at the meeting by Fernando Gonzalez and Terry Planell (executive officers and principals of RSS), and by Raul Rodriguez and Stephen Baruch of Lerman Senter PLLC.

The parties discussed the Commission's proceeding for implementation of the Third Party Access Commitment, and addressed the process and timing of decisions on channel leases. RSS expressed positions that are largely reflected in its Comments and Reply Comments in response to the Commission's Public Notice, DA 09-259, of February 27, 2009. RSS also gave a multimedia presentation about its credentials and its programming. A print-out of the presentation, a copy of which was provided to Mr. Brioché, is enclosed with this letter.

Please address any questions to me.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Stephen D. Baruch'. The signature is stylized and fluid.

Stephen D. Baruch
Counsel for RSS Network Corp.

Enclosure
cc (by e-mail): Rudy Brioché

RSS Network Corp

Presents:



**Radio
Spanish Satellite**

RSS Corporate Video



**Radio
Spanish Satellite**

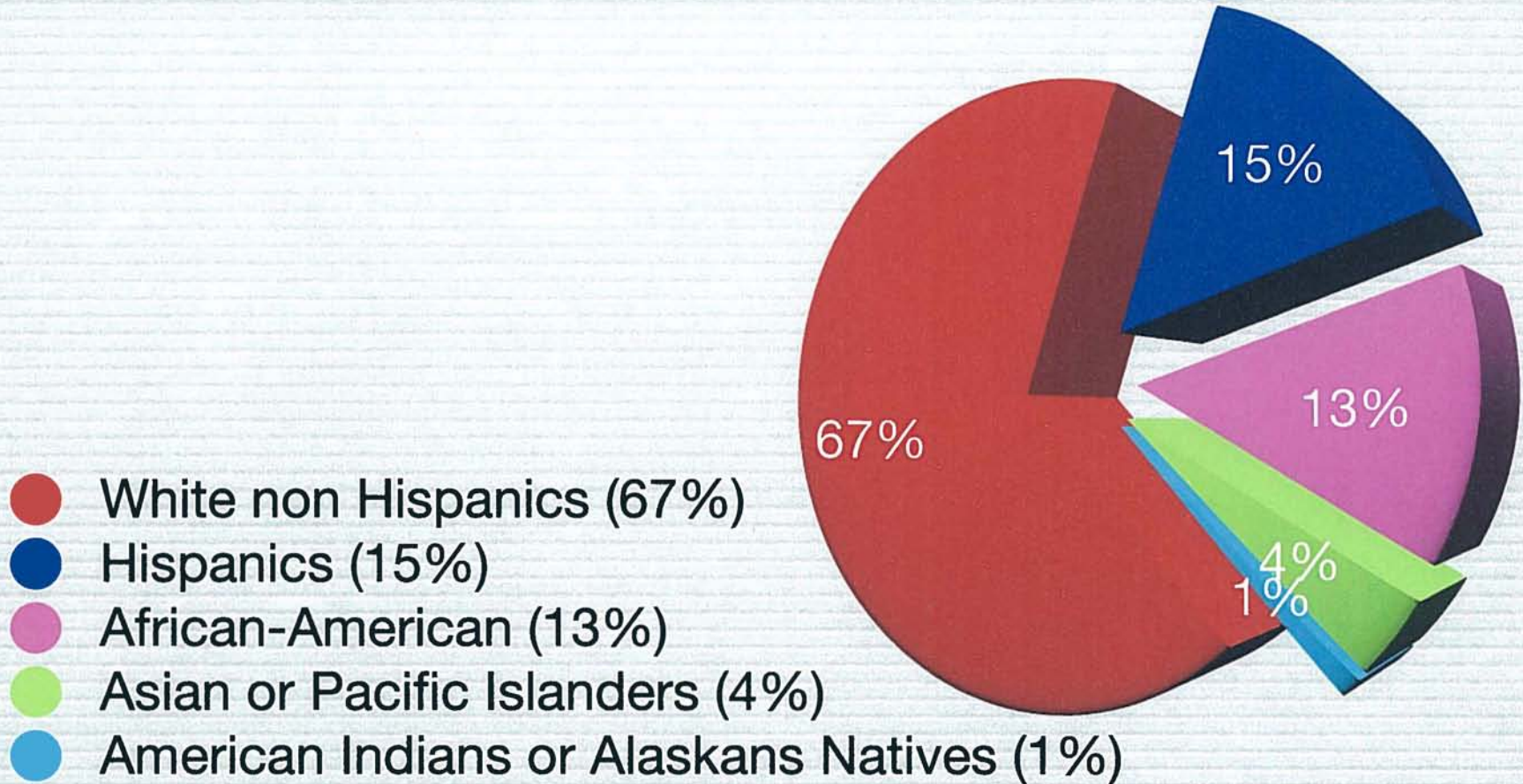
Who is RSS and what does RSS bring to the table?

- A California Corporation formed in 2007
- 100 % Hispanic-owned and operated by Hispanic Immigrants with a combined experience in the broadcast industry of over 130 years
- RSS will create hundreds of new jobs in US and will invest over 60 million dollars
- The Radio Spanish Satellite Service consist of new, innovative and original Spanish-Language programming

Qualified Entities with Highest Percentage of Minority Ownership

- RSS supports the definition of Qualified Entity as *“Any entity that is majority-owned by persons who are African American, Not of Hispanic origin; Asian or Pacific Islanders; American Indians or Alaskan Natives; or Hispanics”*
- RSS urges the commission to adopt a scheme that gives preference to entities with the greatest percentage of minority ownership and who will maintain active and full managerial and editorial control of their programming

US Population

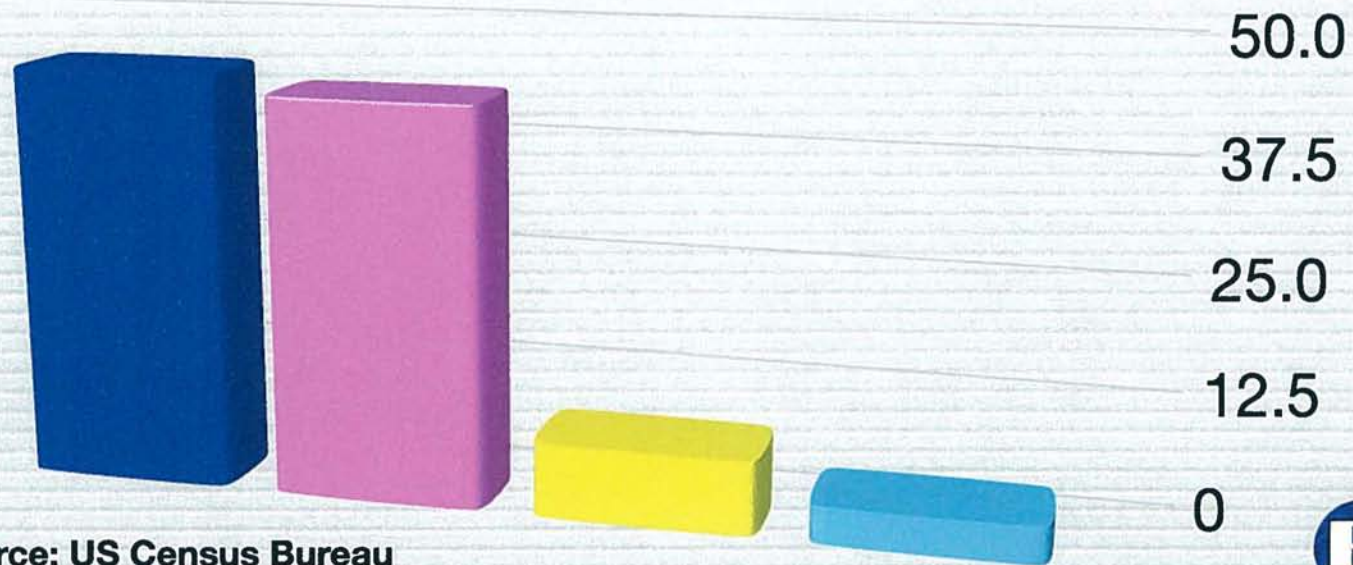


Source: US Census Bureau



Minority Population

- Hispanics 45%
- African-Americans 43%
- Asian or Pacific Islanders 8%
- American Indians or Alaska Natives 4%

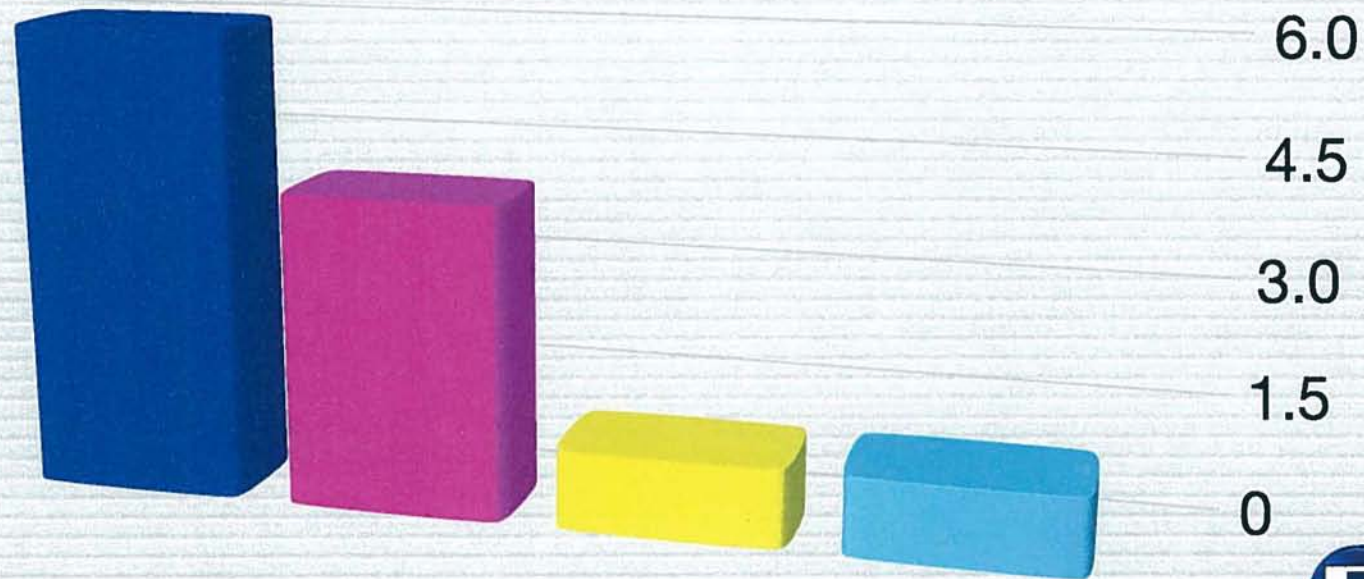


Source: US Census Bureau



12 Channels Distribution

- Hispanics (RSS Network Corp. 6 Channels)
- African-Americans (4 Channels)
- Asian or Pacific Islanders (1Channel)
- American Indians or Alaska Natives (1Channel)



The Process for Implementation -1-

- Demonstration that the entity meets the definition of Qualified Entity
- A detail explanation that the principals (owners) in the entity are 100% minorities
- A statement of which minority group's channel allocation the entity is seeking to use
- A statement of the number of channels in total the entity is seeking to lease

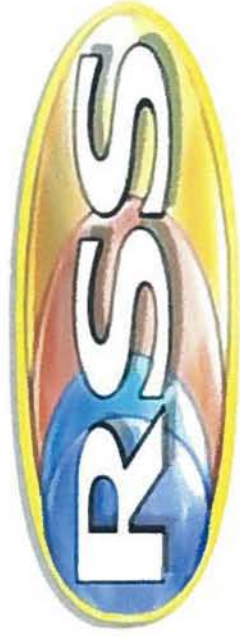
The Process for Implementation -2-

- A description of the extent to which the entity would air original programming over the lease channel
- A statement that the entity will commence operation over the channels within 90 days after the lease is signed and will be offering programming on a 24/7 basis no later than 180 days after the lease is signed
- A statement that the entity will directly program the channel and is not acting as an agent or surrogate of any kind for any unidentified third party

Leases Term

- The Third-Party Access Commitment contemplates “Long-term” leases
- RSS urges the commission to require that the initial leases be for 10 Years
- RSS believes that there should be an expectation of lease renewal for the lessee(s)

Lessees Should Provide New and Original Programming



**Radio
Spanish Satellite**



**Radio
Spanish Satellite**

Channel-1



**Radio
Spanish Satellite**

RSSNOTICIAS
&RADIOHABLADA

Channel-2



**Radio
Spanish Satellite**

RSS ENTRETENIMIENTO 1



**Radio
Spanish Satellite**

Channel-3



**Radio
Spanish Satellite**

RSSDEPORTES2

WORLDWIDE



**Radio
Spanish Satellite**

RSSCOMEDIA
SINCENSURA



**Radio
Spanish Satellite**

Channel-5



**Radio
Spanish Satellite**

RSSTODOFUTBOL

FUTBOL

Channel-6



**Radio
Spanish Satellite**

RSSCONTROVERSIA



**Radio
Spanish Satellite**

Summary

- For over 2 years, RSS Network Corp has been the only company in the US and Latin America that has been devoted exclusively to the development of Spanish Satellite Radio
- RSS is ready... We will be the new voice for the Hispanic Community, create jobs, major financial investment, original programming, new marketing opportunities and expand the Satellite Radio Industry
- We are “True” Hispanics, we understand and live our culture, we speak “**English**, but we feel in **Spanish**”... So let’s implement what has already been decided!!

Thanks...

- For more information please visit our web site
www.radiospanishsatellite.com

