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Federal Communications Commission
Office of the Secretary

July 15, 2008

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Federal Communications Commission
Office of the Secretary

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XM/Sirius
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07-57

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman *Martin*:

I am writing with respect to the pending merger between Sirius and XM Satellite Radio Holdings, Inc. It is my understanding that as the Commission nears the end of its review of the proposed merger that the Commission is considering a number of conditions to protect the public interest.

I am concerned this merger of the nation's only two satellite radio providers could undercut meaningful radio competition and harm consumers. The terrestrial radio broadcast industry has invested hundreds of millions of dollars converting to digital technology. Congress has also recognized the value of digital radio and has provided funding to help public radio stations transition to digital, including those in Alaska. This digital radio conversion will allow the nation's broadcasters to compete in the long term, and bring improved services to consumers. Accordingly, to ensure that this merger does not give XM and Sirius an insurmountable advantage in the digital radio market, the Commission should ensure that HD radio reception capability is integrated into all satellite radio receivers.

By requiring satellite radio tuners to also have HD reception capability the Commission will enable consumers to choose among the various digital radio services available. In addition, such a requirement would ensure that consumers would have access to local content and important public safety announcements. The limited number of satellite receivers available to consumers historically indicates that such a requirement would be needed to protect consumer choice. Such a requirement would not place a significant burden on the merged satellite provider, but would give consumers equal access to free digital radio.

Thank you for your consideration and I look forward to working with you.

With best wishes,

Cordially,

TED STEVENS

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