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February 5, 2004

Ex Parte Communication

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20445

Re: IB Docket No. 95-91

Dear Ms. Dortch:

Yesterday, Ann Bobeck and the undersigned of NAB met with Commissioner Abernathy, Jennifer Manner, Stacy Robinson Fuller, Jon Cody, and Sheryl Wilkerson. We urged the Commission to adopt in its final service rules for operation of Satellite Digital Audio Radio Service ("SDARS") repeaters the language proposed by XM Radio, Inc. ("XM") and NAB in their joint December 23, 2003 *Ex Parte* Presentation. Specifically, XM and NAB proposed the following condition:

SDARS repeaters are restricted to the simultaneous transmission of the complete programming, and only that programming, transmitted by the satellite directly to SDARS subscribers' receivers, and may not be used to distribute any information not also transmitted to all subscribers' receivers.

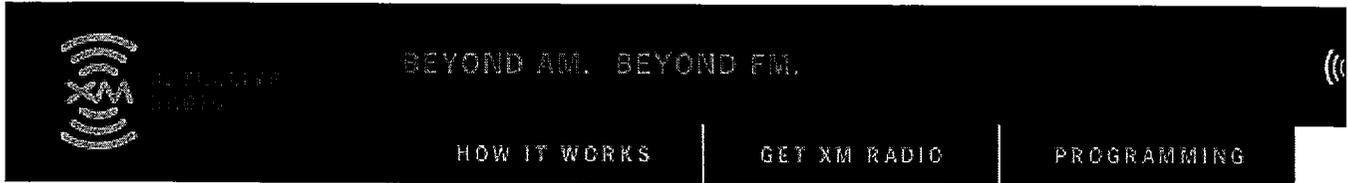
Additionally, we discussed XM's recent announcement to launch local weather and traffic service in 21 markets beginning March 1, 2004, and the implications of that service and other local services that SDARS licensees might offer. A copy of that announcement is attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jack N. Goodman", is written over a horizontal line.

Jack N. Goodman

Encl.



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210	Boston, MA*	Sample	221	San Francisco	Sample
211	New York, NY	Sample	222	Los Angeles	Sample
212	Philadelphia, PA	Sample	223	San Diego, CA**	Sample
213	Baltimore, MD	Sample	224	Phoenix	Sample
214	Washington, DC	Sample	225	Dallas/Ft. Worth, TX	Sample
215	Pittsburgh, PA	Sample	226	Houston, TX	Sample
216	Detroit, MI	Sample	227	Atlanta, GA**	Sample
217	Chicago, IL	Sample	228	Tampa, FL	Sample
218	St. Louis, MO	Sample	229	Orlando, FL	Sample
219	Minneapolis/St. Paul, MN**	Sample	230	Miami/Ft. Lauderdale, FL**	Sample
220	Seattle, WA**	Sample			

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* Available April
** Available later

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