

The NAB's petition 04-106 not in the public's best interest for three critical reasons.

1. The petition is an attempt by large monied business interests to circumvent the First Amendment. Freedom of speech is one of our most fundamental rights as Americans and seriously distinguishes our country from other less enlightened and less FREE countries around the world.

2. The petition also seeks to stifle and limit business competition. This attempt merely represents another in a very long line of feeble and specious justifications of a large business interest trying to protect their profits at the expense of free and vigorous competition. And again, this free competition is another important piece of our American fabric that distinguishes us from other countries around the world.

3. The petition also seeks to diminish and impair public safety in those markets served by satellite radio's traffic and weather broadcasts. These broadcasts are continuous, on-going, and always available. This fact is critical in times of traffic and weather emergencies and can save lives. Anything that diminishes public safety must, by definition, have a reason and purpose more important than the lives of the public. NAB's petition 04-160 falls far short.

The NAB's crass attempt to attack The First Amendment, open and free business competition, and the public safety should be defeated. There is only one reason behind this petition by the NAB: their local ratings and thus their ability to charge the rates they do for their advertising is being threatened. Those that prostitute themselves in service to this cause will face tough questioning as this issue is exposed to brighter and brighter lights. The rights and wrongs of this affront to the American public will be very clear indeed.