

**XM RADIO INC.
SIRIUS SATELLITE RADIO INC.**

October 27, 2004

Via Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: XM Radio Inc. and Sirius Satellite Radio Inc.
Written *Ex Parte* Presentation
MB Docket No. 04-160**

Dear Ms. Dortch:

XM Radio Inc. (“XM”) and Sirius Satellite Radio Inc. (“Sirius”) (collectively, the “Satellite Radio Providers”) hereby submit this *ex parte* in the above-captioned proceeding in which the National Association of Broadcasters (“NAB”) has asked the Commission to forbid the Satellite Radio Providers from offering “locally oriented” services on nationally distributed channels.¹ As the Satellite Radio Providers have explained in this proceeding, their traffic and weather channels serve the public interest by providing alerts as to impending severe weather and by informing drivers of traffic congestion, allowing drivers to plan alternate routes thereby saving time and fuel.² As the attached article from *The Detroit News* indicates, the Michigan Department of Transportation (“MDOT”) agrees.³ MDOT has deployed traffic signs in the Detroit area which list the XM and Sirius traffic and weather channels as well as two AM stations for travelers to tune to for traffic information. As MDOT realizes, the satellite radio traffic and weather channels provide crucial information for the driving public.

¹ National Association of Broadcasters, Petition for Declaratory Ruling, MB Docket No. 04-160 (April 14, 2004).

² See Opposition of Sirius Satellite Radio Inc. and XM Radio Inc., MB Docket No. 04-160 (June 4, 2004), at 6-8; Opposition of Satellite Broadcasting and Communications Association, MB Docket No. 04-160 (June 4, 2004), at 3-5, 13.

³ Jim Lynch, “Michigan Is Set for Radio by Satellite,” *The Detroit News*, Oct. 7, 2004, at 6C.

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Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

XM RADIO INC.

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October 27, 2004

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HEADLINE: Michigan is set for radio by satellite

BYLINE: Jim Lynch

BODY:

It's too soon to know whether satellite radio will become the biggest thing since sliced bread, but Michigan transportation officials aren't taking any chances.

Every 15 years, federal money becomes available for states to use on the travel information signs that tell motorists where to tune on their radio dials for traffic information.

For years, Metro Detroit residents could see these signs along the area's major traffic arteries, instructing them to listen to AM 950 or AM 760. The Michigan Department of Transportation recently installed 11 new signs with two additional stations, available on satellite radio.

Satellite radio allows the stations using it to be available almost anywhere. By bouncing the signal off a satellite, car radios can tune in over a wider area and often with better reception.

The signs around Metro Detroit now feature satellite stations SR 155, and XM 216. Those stations may go on to become the most popular in the region, or they may slowly die off.

For MDOT, it's a case of better safe than sorry. "It's difficult to say where satellite radio will be in 15 years," said Rob Morosi, an MDOT spokesman. "We're trying to be proactive with this."

Regular radio stations AM 950 (WWJ) and AM 760 (WJR) are MDOT recommendations because they offer traffic updates, seven days a week. Other stations drop their traffic alerts on weekends or during non-rush hour periods.

The informational signs came with a price tag of \$36,000 and are in place at the following locations:

-- In Macomb County, on westbound I-94 at the M-59 interchange.

-- In Oakland County, on southbound Lodge at 10 Mile Road; eastbound I-96 at South Hill Road; northbound I-75 at Rochester Road; and southbound I-75 at Rochester Road.

-- In Wayne County, on northbound I-275 at Willow Road; eastbound I-94 at Belleville Road; eastbound I-96 Grand River Avenue; northbound I-75 at Vreeland Road and Cicotte Road; and eastbound M-14 at Napier Road.

Heads up in Oakland County: A pair of road projects that get under way Monday are worth keeping an eye on around Oakland County.

In Farmington Hills, work will begin on a section of 12 Mile Road east of Haggerty Road.

"We need to repave a spot in the road where the pavement has settled unevenly," said Craig Bryson, spokesman for Oakland's county road commission.

The work will run through Oct. 31 and require intermittent lane closures. On the final weekend, Oct. 29-31, the westbound lanes will be closed completely.

The second Oakland project affects Holcomb Road in Independence Township.

Beginning Monday, Holcomb at I-75 will be closed by MDOT as workers begin work on the bridge over the freeway.

With the bridge completely closed through Nov. 22, county officials have offered the following detour:

-- For those traveling west on Holcomb, take Washington to north M-15, head west on Cranberry Lake Road and then south on Allen Road.

-- Those heading east can simply flip those directions: Head north on Allen, then east on Cranberry Lake, south on M-15 and west on Washington.

Commuter feedback

Comments, questions and suggestions from drivers. Send responses with your name and city to commuter columnist Tom Greenwood at commuter@detnews.com or by writing to him at The Detroit News, 615 W. Lafayette, Detroit, MI 48226. He also can be reached at (313) 222-2023.

LOAD-DATE: October 7, 2004