

[Kevin J. Martin](#) Chairman, [Michael J. Copps](#) Commissioner, [Jonathan S. Adelstein](#) Commissioner, [Deborah Taylor Tate](#) Commissioner, [Robert M. McDowell](#) Commissioner

Federal Communications Commission  
445 12th Street SW  
Washington, DC  
20554

Ref. Docket Number MB 07-57

Dear Sirs:

**I am in agreement with the following transcript and wish it entered as my comment along with accompanying Internet links, to the petition to allow SIRIUS/XM merger.**

I believe the merger to be a step forward in leveling the field of the many varied providers in this segment. It is the product and content that consumers choices are driven by; not the delivery method.

I also feel that this merger of equals would not constitute a monopoly in any form or fashion. The choices for consumers are many and varied and the prices are driven by the competition, not just between XM and Sirius but by all the broadcast platforms in this very broadly based service market. It is clearly about choice for the consumer. While serving the greater public's interest and meeting their needs.

The digital satellite radio industry, has forced greatly needed change on the traditional radio broadcast platform's. In the form of the recently launched hd radio concept, Internet services are being launched, CBS has began to re-position it's radio content to television in some of its markets. However they continue with their very basic refusal, to invest in better quality content for use over the public airwaves. which many consumers have requested.

I strongly urge and request, that you the full commission, regardless of the outcome of the pending merger issue. That you collectively revisit, mandate and or regulate the immediate full implementation of interoperable satellite radio devices.

I plead with the commission to act, not upon the manufactured reports. Supplied by the National Association Of Broadcasters. A Self Serving Protectionist Institution, which has historically managed to delay meaningful competition. But instead to act upon the American public's dictate, as you have recently been directed to do so by Congress.

The broadcasters have historically managed to hide many important facts. From the Consuming public This is a very important issue, that runs much deeper then

just the simple issue of over the air radio across multi platforms. just under the surface of this subject can be found the root issue which is and will remain the creation of content and related controlled distribution across all the digital platforms going forward. This was the real hidden reason the NAB fought early on, to prevent any distribution of content via satellite radio services at a local level. yes, it was done to stop them from providing content or advertisements to the traditional radio stations. Along with the consumer outlets. That have historically been purchasers of content and or music, both directly or indirectly from the major networks. Which control the largest part of the related digital audio and video content sales in all forms across the broader industry to their partners. who in turn re-broadcast the material on a local basis.

The claim, were local just lacks any perception of factual truth, period. Radio has been described and defined in many places in dictionary's, as a thing, or art-form and in a very broad fashion that includes wireless, cell phones, tv ,radio etc. I feel the market has already been defined correctly, by the dictionary . In to days digital world a broadcaster is a broadcaster. They can either chose to compete on a level field or leave the arena. The time has come for the Fcc along with our elected lawmakers to stop protecting the traditional broadcasters. That continue to refuse to embrace the changing technology world. Along with the benefits it could bring to the mass consumer market place. **Radio was never defined, specifically, as a place in the context of local.**

It's worth noting here the NAB and RIAA are close partners Many consumers may truly not understand, that the very same broadcast company's control and or manage both associations and they are collectively fighting a life and death war with the satellite radio broadcasting industry on many fronts.

The flip flop comments and "paid to play" lobbying efforts of the NAB are disgusting. There motives are defined by their aggressiveness, not by the law. The NAB's actions concerning this merger have been nothing short of big business "bullying" including manipulating the system with money in order to corral consumers in their camp only. These tactics have been transparent and documented by respected news groups, blogs, and individuals.

The following excerpts are from varied sources which all help to define the benefits to consumers that this merger will allow. There is also evidence entered below that again magnify the tactics used by the NAB to squash this merger for THEIR benefit with total disregard for the consumer.

Respectfully,  
Petitioner

["The Light at the End of the Tunnel: In-car Internet "Via Bridge Ratings](#)

<http://www.tmfassociates.com/SatRadio.pdf> [independent realistic review](#)

<http://arstechnica.com/news.ars/post/20070405-satellite-radio-report-author-i-am-not-a-flip-flopper.html> [Carmel Group discredited](#)

[http://carmelgroup.com/publications/document/growing\\_another\\_telecom\\_pie/](http://carmelgroup.com/publications/document/growing_another_telecom_pie/) [Author of Carmel Group report discredited](#)

[http://www.postchronicle.com/news/original/article\\_21272190.shtml](http://www.postchronicle.com/news/original/article_21272190.shtml) [Alabama House resolution author ...exposed conflict of interest](#)

<http://satellitestandard.blogspot.com/> [NAB admits to a multitude of competition from satellite services, digital etc; Also Law Students Consumer Group discredited.](#)

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**Please Copy All of The Above Information then click on link below**

Go to the FCC's Electronic Comment Submission form, available on the link below then enter the following number **07-57** in the Proceeding box (upper-left). The rest is pretty self explanatory. Your comment will be sent directly to the FCC via the link directly below.

[http://gulfoss2.fcc.gov/prod/ecfs/upload\\_v2.cgi](http://gulfoss2.fcc.gov/prod/ecfs/upload_v2.cgi)

Please support our collective efforts for better quality content along with greater choice\_for the public by completing the petition below.It will only take a minute to have you voice heard.

<http://www.petitiononline.com/satmerge/petition.html>

**Thanks for your participation. This is very important to all consumers**