

hispanicfederation

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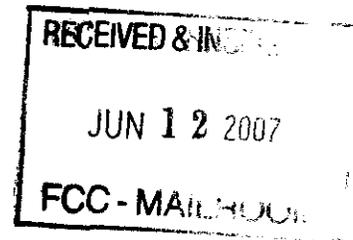
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June 5, 2007

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554



Re: Consolidated Application for Authority to Transfer Control of XM Radio Inc. and Sirius Satellite Radio Inc., MB Docket No. 07-57

Dear Ms. Dortch:

On behalf of the Hispanic Federation, I am writing to express our support for the acquisition of XM Satellite Radio by Sirius.

As a non-profit organization serving the Latino community, the Hispanic Federation takes concerns relating to media concentration and mergers seriously, however, the circumstances of this application persuade us that satellite radio offers consumers programming that is diverse and accessible at reasonable prices.

For the most part, the mainstream media companies offer very limited music and entertainment programming targeted to the Hispanic community. Satellite radio, by contrast, does provide sought after programming such as CNN en Español, ESPN Deportes, and Mexico Canta. We believe that satellite radio provides expanding and vibrant platforms for news and entertainment for Hispanic Americans.

In recent news reports, it was indicated that both XM and Sirius have experienced financial hardships in recent months. We believe that the acquisition could help strengthen both companies and enable them to expand the universe of diverse programming available to communities across the country and provide additional channel capacity.

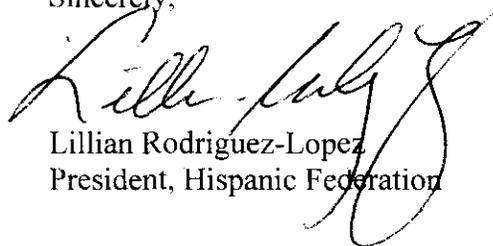
According to representations of both companies, the acquisition is also likely to save consumer costs by making more programming available for a lower prices (measured on a channel by channel basis) The XM-Sirius merger could give consumers the best of both services at a price well below the combined cost today.

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As a national advocacy organization, we do encourage actions that will provide our community with the benefits of competition, lower prices and more choice in a fair and equitable manner. Given all of the competing considerations, we believe that the XM-Sirius merger will achieve these objectives and as such, we urge its approval.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lillian Rodriguez-Lopez". The signature is fluid and cursive, with a large, stylized initial "L".

Lillian Rodriguez-Lopez  
President, Hispanic Federation

Cc: Chairman Kevin J. Martin  
Commissioner Michael J. Copps  
Commissioner Jonathan S. Adelstein  
Commissioner Deborah Taylor Tate  
Commissioner Robert M. McDowell



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April 30, 2007

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JUN 12 2007

Federal Communications Commission  
Office of the Secretary

The Honorable Kevin Martin  
Federal Communications Commission  
445 12<sup>th</sup> Street SW – Room 8-B201  
Washington, DC 20554

Dear Chairman Martin:

On behalf of the Wyoming Association of Broadcasters I am enclosing the resolution recently adopted by its Board of Directors. As expressed in the resolution the Wyoming Association of Broadcasters is opposed to the proposed merger of the only two satellite radio companies, XM and Sirius.

The proposed merger will create a government-sanctioned monopoly which is anticompetitive and we ask that on behalf of the citizens of the state of Wyoming you vigorously oppose the merger and express your opposition to the Department of Justice, the U.S. Attorney General, the Federal Communications Commission and members of the Wyoming congressional delegation. The proposed merger will result in a monopoly that:

- violates current Federal Communication Commission rules prohibiting only one provider of satellite radio in the satellite radio market;
- will be able to exercise unlimited market power which will allow it to raise subscription rates without limit, reduce program diversity and cause subscribers to incur long-run equipment costs;
- will be able to monopolize national and regional programming such as sports and entertainment events through exclusive arrangements;
- will exploit its monopoly power and unfairly compete with other media for national advertising by offering artificially low (subsidized) advertising rates; and
- will cross-subsidize its offering of new services and unfairly compete with local radio stations through its monopolization of the only national multi-channel, mobile, radio service in the country.

The proposed attempt to create a government-sanctioned monopoly will severely harm consumers, musicians, broadcasters and the public if it is allowed to go through.

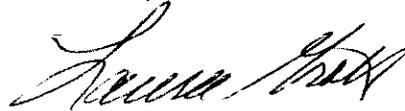
Laura Grott, President  
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The Wyoming Association of Broadcasters stands ready to assist you in opposing this merger.

Please feel free for you or staff to call me should you need any information with regard to the harmful impacts this merger will have on the citizens and consumers of Wyoming.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Grott". The signature is written in a cursive style with a large initial "L".

Laura Grott  
President

**RESOLUTION OF THE WYOMING ASSOCIATION OF BROADCASTERS OPPOSING THE  
PROPOSED MERGER OF  
XM AND SIRIUS SATELLITE RADIO COMPANIES**

Adopted: April 30, 2007

**WHEREAS**, XM and Sirius Satellite radio companies have announced their plans to form a government-sanctioned monopoly leaving only one company functioning in the satellite radio market; and

**WHEREAS**, Wyoming Association of Broadcasters is a trade association consisting of 82 stations in the state of Wyoming representing radio and televisions stations and companies and individuals that supply and use broadcast-related, post-production, multimedia and telecommunication equipment and services; and

**WHEREAS**, the Wyoming Association of Broadcasters believes that such a merger creating a total government-sanctioned monopoly in the satellite radio market will be harmful to consumers, musicians, broadcasters and the public because the resulting monopoly:

- violates current Federal Communication Commission rules prohibiting only one provider of satellite radio in the satellite radio market;
- will be able to exercise unlimited market power which will allow it to raise subscription rates without limit, reduce program diversity and cause subscribers to incur long-run equipment costs;
- will be able to monopolize national and regional programming such as sports and entertainment events through exclusive arrangements;
- will exploit its monopoly power and unfairly compete with other media for national advertising by offering artificially low (subsidized) advertising rates; and
- will cross-subsidize its offering of new services and unfairly compete with local radio stations through its monopolization of the only national multi-channel, mobile, radio service in the country.

**WHEREAS**, in 1997 when the Federal Communications Commission first considered the issuance of licenses for satellite radio services, Sirius' predecessor filed comments with the Commission arguing that multiple providers were necessary to assure competition, guarantee program diversity and expressing concern that allowing mergers such as this to occur in the future would "have serious anticompetitive repercussions;" and

**WHEREAS**, the satellite radio market has not changed significantly to justify altering current federal regulatory prohibitions against such mergers; and

**WHEREAS**, given the past history of violating Federal Communication Commission rules by both XM and Sirius there is ample cause to be concerned and alarmed that any concessions agreed to by the merging parties will not be fulfilled; and

**WHEREAS**, the Wyoming Association of Broadcasters believes that competition is the cornerstone to an efficient and fair marketplace and that it is wrong for the government to sanction a monopoly in the satellite radio market and thereby disadvantage consumers, musicians, broadcasters and the public; now, therefore, be it

**RESOLVED** by the Wyoming Association of Broadcasters Board of Directors, That the Congress, the Federal Communications Commission, the Attorney General of the United States and the Justice Department and the Attorney General for the State of Wyoming be urged to oppose any merger between the only two competing satellite radio companies and refrain from sanctioning a monopoly that such a merger will create; and

**RESOLVED FINALLY**, That the President of the Wyoming Association of Broadcasters transmit copies of this resolution to the:

- Attorney General of Wyoming
- President of the United States Senate,
- Speaker of the U.S. House of Representatives,
- Members of the Wyoming Congressional Delegation,
- Commissioners of the Federal Communications Commission, and
- Attorney General for the United States

so that they may be apprised of the sense of the Wyoming Association of Broadcasters in this matter.