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December 4, 2007

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20054

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

Dear Ms. Dortch:

Please find attached a letter from U.S. Representatives Albert R. Wynn, Lacy Clay, G.K. Butterfield, Elijah Cummings, Bennie Thompson and David Scott to Chairman Martin in which they address several serious concerns with the proposed merger of XM Satellite Radio and Sirius Satellite Radio.

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this letter is being filed in the above docket.

Respectfully submitted,



David R. Siddall
Counsel to Georgetown Partners L.L.C.

Attachment

cc: (via email)

Chairman Martin; Commissioner Copps; Commissioner Adelstein;
Commissioner Tate; Commissioner McDowell; Daniel Gonzalez; Michelle Carey;
Rick Chessen; Amy Blankenship; Rudy Brioché; Cristina Chou Pauzé; Angela
Giancarlo; Jim Bird; Catherine Bohigian; Monica Desai.

ALBERT R. WYNN
4TH DISTRICT, MARYLAND

SENIOR DEMOCRATIC WHIP

REGIONAL WHIP

COMMITTEE:
ENERGY AND COMMERCE

CHAIRMAN
SUBCOMMITTEE ON
ENVIRONMENT AND
HAZARDOUS MATERIALS

MEMBER
SUBCOMMITTEE ON
ENERGY AND AIR QUALITY



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-2004

November 9, 2007

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The Honorable Kevin Martin, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Martin,

We are writing to inform you and your fellow Commissioners of several serious concerns that we have with the consolidated transfer applications of XM Satellite Radio Holdings Inc. ("XM") and Sirius Satellite Radio Inc. ("Sirius").

The merger of Sirius and XM, as currently structured, is not in the public interest. Approval of the merger would reduce to a single FCC licensee exclusive control over the entire spectrum available for nationwide radio broadcasting and related datacasting. With the only two licenses available held by Sirius and XM, and with no more to be issued, enabling these two licensees to merge will eliminate marketplace competition and choke programming and content diversity.

We are deeply concerned about the ramifications of this merger, as currently structured. As today's estimated 32 million automobile satellite receivers grow to hundreds of millions, Sirius and XM should not be exercising exclusive control over every single individual program channel available. The core principle in the Communications Act is the public interest requirement of programming diversity. The Commission must not cast a blind eye with regard to this core principle and, thus, must affirmatively find this provision to be satisfied in deciding the fate of this merger. In short, access to the satellite broadcast airwaves containing hundreds of individual programming channels should not be placed under the control of any single company. That would constitute a monopoly.

We have learned that a minority-owned private investment firm recently proposed to the Commission and the Department of Justice, that the approval of the proposed merger be conditioned upon XM/Sirius being required to lease their broadcast infrastructure and at least 20% of their channel capacity on a long term or permanent basis to a minority controlled entity. The proposal, which would provide 50-100 channels of free diverse satellite radio programming, is particularly appealing to our minority population. Such an offering will provide a real alternative to the expensive mandatory subscription fee based service that would be offered by XM/Sirius.

Chairman Martin
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While we must reiterate that we feel that the merger of Sirius-XM does not comport with the public interest, if the FCC does move this way, we feel that a minority-controlled entity should have rights to the broadcast infrastructure. By allowing a minority-controlled entity to be the lessee, the Commission would serve the public interest by achieving diversity of ownership in this large medium and enhanced minority ownership of media in general-two areas that the Commission has been asked to address by advocacy groups from various cross sections of our society.

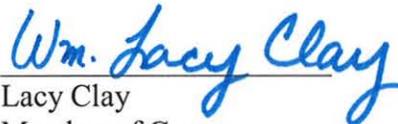
Simply stated, the Sirius-XM merger, as presently structured, does not comply with the Communication Act's public interest standard.

We strongly urge you and your fellow Commissioners to give due diligence and review to our concerns as you consider the pending consolidated transfer applications of XM and Sirius.

Sincerely,



Albert R. Wynn
Member of Congress



Lacy Clay
Member of Congress



G.K. Butterfield
Member of Congress



Elijah Cummings
Member of Congress



Bennie Thompson
Member of Congress



David Scott
Member of Congress