



December 6, 2007

Honorable Kevin J. Martin
Chairman
Federal Communication Commission
445 12th Street, S.W.
Washington, D.C. 20334

ELECTRONIC FILING

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

Dear Chairman Martin:

On behalf of the members of American Association of People with Disabilities (AAPD), I write to urge approval of the proposed merger between Sirius and XM satellite radio companies. A merger should offer greater availability and affordability of paid radio service and could result in more accessibility in services, making them more available to persons with disabilities

AAPD is the largest national independent nonprofit cross-disability member organization in the United States, dedicated to ensuring economic self-sufficiency and political empowerment for the more than 51 million Americans with disabilities. While AAPD sees *accessibility and usability as critical*, we believe also that *affordability is essential* in provision of communications services. People with disabilities are among the least employed and underemployed in the United States and seek availability of all kinds of communications options, including cheaper pay radio services. AAPD has several reasons to be encouraged that a merger between Sirius and XM would benefit consumers with disabilities.

Expanding Accessibility: The two companies have indicated to AAPD their commitment to explore ways in which they can enhance accessibility to satellite radio products and services for people with disabilities. For instance, XM has indicated to us that they are placing a new special emphasis on accessibility, such as ensuring that the XM Radio web site and XM's online radio player are compatible with screen readers. For its part, Sirius has pointed out the following accessibility steps already taken: for SIRIUS Internet Radio, when contacted by several consumers with vision disabilities, they made changes to the login process security feature so that, in addition to visual CAPTCHA, there is also audio CAPTCHA. Sirius has also reviewed its website to make it more readable

to screen-readers used by persons with vision disabilities who use assistive technologies to read web sites, such as use of “alt” images for standard images and a non-flash version of their website (flash is inaccessible to screen-readers). Sirius reports also that many of its radios have displays that permit the user to increase the size of the font in the display, allowing greater usability for some subscribers with some vision loss. Also, they assert that some of the later model wearable radios have audio navigation where the channel names are spoken in an audio file rather than just displayed, a device feature that will assist listeners with vision loss in confirming what specific channel is playing.

Greater Availability: It is our understanding that merger synergies could result in expanded variety and more unique content unavailable anywhere else. The synergy will allow the companies to offer new programming options in packages that include radio content from both XM and SIRIUS and they state publicly that they will do this for cheaper prices.¹ Also, for the first-time in pay radio, consumers will have the option of a la carte programming, where they can tailor their radio listening to their own taste.² For people with disabilities, the ability to control not only the kind of audio content they receive, but to receive it at lower prices than previously, is in their interest as consumers.

Because of the availability of more affordable paid radio service, and especially the disability sensitive steps forward already taken by XM and Sirius, AAPD believes there is willingness to serve well any consumers with disabilities. It is our hope that the Commission will encourage the new company to continue to embrace and expand accessibility for people with disabilities as a condition of the merger.

Overall, it is our view that a combined company will better meet the needs of pay radio listeners, including subscribers with disabilities, and should be able to advance greater accessibility for persons with disabilities; for these reasons we urge approval of this merger.

Thank you for considering our viewpoint.

Sincerely,

¹ Sirius says: “Once we merge, you will have better pricing choices. Subscribers ... will not have to pay any more after the merger. There will be new subscription packages priced below our current offerings. And the best of both SIRIUS and XM will be available at a lower cost than the price of subscribing to both services separately,” see at <http://www.siriusmerger.com/>, last accessed 11/06/07; XM says: “If our merger is approved, the combined company will offer consumers the best of each service on your current radio - at a price well below the cost of the two services today.”, see at <http://www.xmmerger.com/>, last accessed 11/7/07.

² We learned that at a speech delivered to the National Press Club on July 23, 2007 Sirius announced a merged company would offer American consumers the opportunity to choose programming on an a la carte basis, such as 50 channels for \$6.99. We note that they say also that the new programming packages will be available through existing satellite radios and that the a la carte programming will be available to consumers that purchase new radios, which are supposed to be priced in line with those currently on the market.

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