

Atlanta
Beijing
Brussels
Chicago
Frankfurt
Hong Kong
London
Los Angeles
Milan
New York
Orange County
Palo Alto
Paris
San Diego
San Francisco
Shanghai
Tokyo
Washington, DC

(202) 551-1729
larrysidman@paulhastings.com

February 6, 2008

VIA ELECTRONIC FILING

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

Re: Notice of Ex Parte Presentation in MB Docket No. 07-57

Dear Mrs. Dortch:

On Tuesday, February 5, 2008, Jessica Marventano, Senior Vice President of Government Relations for Clear Channel Communications, Inc. (“Clear Channel”) and Lawrence R. Sidman of Paul, Hastings, Janofsky & Walker LLP, participated in successive meetings with Commissioner Michael Copps, Rick Chessen, Senior Legal Advisor/Media Advisor and Scott Deutchman, Legal Advisor to Commissioner Copps; Commissioner Jonathan Adelstein and Rudy Brioché, Legal Advisor to Commissioner Adelstein; and Commissioner Robert McDowell, Angela Giancarlo, Chief of Staff and Senior Legal Advisor, and Cristina Chou Pauzé, Legal Advisor to Commissioner McDowell. During these meetings, the participants discussed Clear Channel’s concerns regarding the proposed XM-Sirius merger. Clear Channel elaborated upon its Comments filed in this proceeding on July 9, 2007 and August 13, 2007.

Specifically, Clear Channel maintained that the proposed merger was not in the public interest, and therefore, the Commission should not grant the license transfer application. Clear Channel stressed that the elimination of intramodal competition that is the signature of the proposed transaction was contrary to the entire policy thrust of law and regulation in the communications sector for more than two decades, and specifically, violated the rules for SDARS licensing established by the Commission. Clear Channel depicted some of the harms that would befall consumers and free, over-the-air terrestrial broadcasting were the license transfer application to be approved. Clear Channel emphasized the enormous amount of spectrum that would be concentrated in the control of one essentially unregulated entity were the transaction to proceed as proposed, creating a genuine threat to the economic framework of terrestrial broadcast radio. Finally, Clear Channel discussed the fallacies associated with the

Marlene H. Dortch, Secretary
February 6, 2008
Page 2

purported *à la carte* offerings proposed by XM and Sirius were the merger to be approved.

Clear Channel distributed the three-page summary of key points attached to this *ex parte* filing either during or subsequent to each of the meetings described above.

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1206, one electronic copy of this letter together with the attached memorandum are being filed in the above-referenced docket. Please direct any inquiries concerning this matter to the undersigned.

Respectfully submitted,



Lawrence R. Sidman
of PAUL, HASTINGS, JANOFSKY & WALKER LLP

Counsel to Clear Channel Communications, Inc.

LRS/rel

cc: Commissioner Michael Copps
Commissioner Jonathan Adelstein
Commissioner Robert McDowell
Rick Chessen
Scott Deutchman
Rudy Brioché
Angela Giancarlo
Cristina Chou Pauzé