

2-11-08

FCC Chairman
445 12th St. SW
Washington DC 20554

FEB 19 2008

Re: doc # 07-57

Dear Mr. Chairman,

I am writing to inquire about the status of the merger between XM radio and Sirius radio. Has the merger been completed yet or is it still in negotiation with your Commission and the US Attorney General's office?

I would appreciate your answering this letter. I wrote a letter on July 13, 2007 and have never received an answer. (letter enclosed)

Your kind consideration to this request will be most appreciated.

Yours Truly,

John Hays

7-13-07

FCC Chairman
445 12th St SW
Washington DC 20554

Dear Mr Chairman,

I'm writing to ask the status of the impending merger between Sirius radio and XM radio. I approve of it and am just asking that you have safeguards to prevent a monopoly where there is no competition and we are captives to their monopoly of the satellite radio business. I ask for your support of the merger but ask that you have safeguards.

I am not in the business but am ~~writing~~ writing as a concerned listener.

Yours Truly,

John + Sandy Hays

please advise



Mr. John Hays
P.O. Box 1876
Clovis, NM 88102

(505) 762-9369

07-57

Stephen Kozak Jr
21 Kalla Ln
East Aurora, NY 14052-1209

February 10, 2008

DOCKET FILE COPY ORIGINAL

FCC
Federal Communications Commission
445 12th Street, SW Room TW-B204
Washington, DC 20554

Re: Please allow the Sirius-XM merger

Dear FCC:

Please spare a moment of your valuable time as I urge you to allow the proposed merger between satellite radio companies Sirius and XM. I have been a Sirius subscriber since May 2005 and am completely satisfied with the service provided. As a subscriber, I clearly will be affected by this action and the prospect of these two companies being able to unite excites me tremendously.

I feel there is severe and deliberate misinformation being circulated regarding this merger; the culprits being primarily the National Association of Broadcasters and various radio and media conglomerates that have spent a profane amount of money to prevent this union. I aim to succinctly address some of their claims.

-They claim this merger results in a 'monopoly'. Nothing is further from the truth as satellite radio is only one of many entertainment delivery systems available to consumers. I CHOOSE to subscribe, just as I CHOOSE to use an iPod, or the internet, or buy a CD, or read a book. I also CHOOSE not to listen to terrestrial radio even though it costs me nothing. They do not provide content that is relevant to me, so I have gone elsewhere to find it since I have the right to do so. In summary: as an entertainment delivery system, terrestrial radio that costs the consumer nothing IS a direct competitor with satellite radio, which proves that one combined satellite radio provider could NOT be a monopoly.

-They claim there is no 'diversity' in satellite programming; another bold-faced lie. The ability to have on demand access to almost any genre of music sounds pretty diverse to me. The ability to hear talk shows that are not fueled primarily with right-wing hate sounds like diversity to me. Access to educational, religious, family oriented programming, or broadcasting from all over the world are all potentially within reach on satellite radio.

-They claim there will be 'price gouging'. Gasoline companies get away with this. Cable companies do it all the time with impunity. So do credit card companies. American consumers get screwed left and right, but the leadership of both Sirius and XM have promised not to inflate prices if allowed to join. In fact, they have proposed numerous pricing plans that I consider to be both

No. of copies received 0
List number

fair and reasonable. Best of all, they have GUARANTEED that not one radio sold to this point will become obsolete when the merger takes place. The unit I bought 3 years ago will still work as originally designed and intended with the new combined service. Clearly these two companies have the interests of their consumers as their top priority.

Now, a rhetorical question: how does it 'benefit the consumer' if he has to buy two different radio services if he likes both Howard Stern and NHL Hockey? Or what about the girl who is a Major League Baseball fan who also likes Martha Stewart? Why penalize American consumers for having varied tastes, when the best programming of both companies could be easily available?

I implore you to please stop the delay on this and allow the merger to proceed. It is a win-win situation for all involved, most importantly for current and future subscribers. The invasion of Iraq received less debate than this! Sadly, that action has had consequences beyond imagination...by far more severe than this merger possibly ever could.

This union represents choice. Consumer choice. Being able to choose music (new music, old favorites, and everything in between). Being able to choose talk radio (right, left, center, up, down, whatever). Being able to choose sports, or news from all over the world. Hearing a funny joke, or one that isn't. Being able to choose to listen to one channel for an entire 500 mile drive, or find something on 130+ other options to make the trip more tolerable. Being able to choose a favorite morning show that makes an early commute a little more bearable, and to hear something completely different for the trip home.

It's time to stop the delay and allow these two entertainment providers to unite.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen A. Kozak, Jr.", with a horizontal line drawn underneath it.

Stephen A Kozak, Jr
716-655-0474