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Michelle Carey, Esq.
Senior Legal Advisor, Media Issues
Federal Communications Commission
Room: 8-B201 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 07-57)

Dear Michelle:

Thank you for agreeing to meet with U.S. Electronics ("USE") next week. To make the meeting as productive as possible, I am writing to identify as the main topic of presentation: the implementation of the open device condition. The open device condition has garnered significant support in the record among commenters who have concerns about the consumer effects of the merger since the condition was originally proposed by USE. Filings by Public Knowledge, Media Access Project and New America Foundation, iBiquity, and HD Digital Radio Alliance have proposed an open device condition in the event that the merger is approved. Most recently, National Association of Telecommunications Officers and Advisors filed in support of the open device concept's ability to protect consumers and the public interest. USE believes that the emerging consensus among such commenters from the public interest and commercial sectors makes it timely to discuss the specifics of implementation, in the event that the Commission decides to approve the merger.

In previous filings, USE has enumerated the elements of the open device condition, including publication of an open standard for the manufacture of satellite radio receivers. The USE presentation to you next week will review those elements and emphasize that no aspect of the open device condition proposed would compromise the licensee's ability to preserve the quality and security of its broadcast signal. USE will also stress the need for an independent monitor to supervise and enforce the open device condition to ensure that the licensee will forthrightly adhere to the condition. USE will also highlight parallels between the C-Block open device condition recently embraced by bidders in the Upper 700 MHz auction and the open device condition proposed here.

For your convenience, I am appending copies of the filings referred to in this letter.

Insofar as this letter may be construed as containing advocacy in connection with the proposed merger, it will be filed as an ex parte communication in the XM/Sirius docket.

Very truly yours,

Kathleen Wallman

Kathleen Wallman, PLLC
Counsel to U.S. Electronics