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2300 N STREET, NW  
SUITE 700  
WASHINGTON, DC 20037  
TEL 202.783.4141  
FAX 202.783.5851  
www.wbklaw.com  
DAVID H. SOLOMON  
202.383.3369  
dsolomon@wbklaw.com

April 24, 2008

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Monica Shah Desai  
Chief, Media Bureau  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

FILED/ACCEPTED

APR 24 2008

Federal Communications Commission  
Office of the Secretary

Re: *Applications of Sirius Satellite Radio Inc. and XM Satellite Radio Holdings Inc. for Approval to Transfer Control, MB Docket No. 07-57: Acknowledgments of Confidentiality*

Dear Ms. Dortch and Ms. Desai:

The National Association of Broadcasters ("NAB"), by its attorneys and pursuant to the *Second Protective Order* issued in the above-referenced proceeding,<sup>1</sup> hereby submits Acknowledgments of Confidentiality executed by its counsel, Marsha J. MacBride, Jane E. Mago, and Lawrence A. Walke. NAB is filing these Acknowledgments so that its counsel may review information, documents, attachments, exhibits and materials in this proceeding that have been designated "Highly Confidential" under the *Second Protective Order*.<sup>2</sup>

<sup>1</sup> *Applications of Sirius Satellite Radio Inc. and XM Satellite Radio Holdings Inc. for Approval to Transfer Control, MB Docket No. 07-57, Protective Order, DA 07-4666 (MB November 16, 2007) ("Second Protective Order")*.

<sup>2</sup> It is NAB's understanding that the Commission's Office of General Counsel has informally advised that in-house counsel for non-commercial entities, such as NAB, that are not involved in the competitive decision-making for any individual company are entitled to review materials designated "Highly Confidential" pursuant to the terms of the *Second Protective Order*.

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WILKINSON ) BARKER ) KNAUER ) LLP

Marlene H. Dortch, Secretary

April 24, 2008

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Copies of this letter and the Acknowledgments have been served upon counsel of record for Sirius Satellite Radio Inc. and XM Satellite Radio Holdings Inc. Please contact me should you have questions regarding this submission.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David H. Solomon". The signature is fluid and cursive, with a long horizontal stroke at the end.

David H. Solomon

J. Wade Lindsay

Enclosures

cc: Jamila Bess Johnson (w/enc.)  
Industry Analysis Division

## Acknowledgment of Confidentiality

MB Docket No. 07-57

I hereby acknowledge that I have received and read a copy of the foregoing Second Protective Order in the above-captioned proceeding, and I understand it. I agree that I am bound by the Second Protective Order and that I shall not disclose or use Stamped Highly Confidential Documents or Highly Confidential Information except as allowed by the Second Protective Order. I acknowledge that a violation of the Second Protective Order is a violation of an order of the Federal Communications Commission.

Without limiting the foregoing, to the extent that I have any employment, affiliation or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any information obtained as a result of the Second Protective Order is due solely to my capacity as Outside Counsel or Outside Counsel of Record or Outside Consultant to a party or other person described in paragraph 9 of the foregoing Second Protective Order and that I will not use such information in any other capacity nor will I disclose such information except as specifically provided in the Second Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Highly Confidential Documents and Highly Confidential Information are used only as provided in the Second Protective Order; and (2) Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Second Protective Order, and I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Stamped Highly Confidential Documents or Highly Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Second Protective Order.

Executed at Washington, DC this 24th day of April, 2008.



Marsha MacBride  
Executive Vice President, Legal and Regulatory Affairs  
National Association of Broadcasters  
1771 N Street, N.W.  
Washington, DC 20015  
202.429.5430  
MMacBride@nab.org

## Acknowledgment of Confidentiality

MB Docket No. 07-57

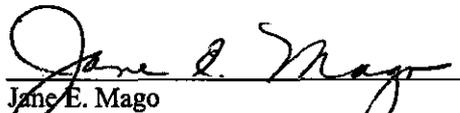
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Executed at Washington, DC this 24th day of April, 2008.

  
Jane E. Mago  
Senior Vice President & General Counsel  
Legal and Regulatory Affairs  
National Association of Broadcasters  
1771 N Street, N.W.  
Washington, DC 20015  
202.429.5430  
JMago@nab.org

## Acknowledgment of Confidentiality

MB Docket No. 07-57

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Executed at Washington, DC this 24th day of April, 2008.



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Lawrence A. Walke  
Associate General Counsel  
National Association of Broadcasters  
1771 N Street, N.W.  
Washington, DC 20015  
202.429.5430  
LWalke@nab.org

## CERTIFICATE OF SERVICE

I, Marc D. Knox , hereby certify that, on this 24<sup>th</sup> day of April, 2008, copies of the forgoing Acknowledgments of Confidentiality were delivered via U.S. first class mail, postage prepaid, and by electronic mail to the following:

Peter D. Shields  
Nicholas M. Holland  
Wiley Rein LLP  
1776 K Street, NW  
Washington, DC 20006

Gary M. Epstein  
James H. Barker  
Brian W. Murray  
Latham & Watkins LLP  
555 Eleventh Street, NW  
Suite 1000  
Washington, DC 20004

  
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Marc D. Knox