

Pioneer North America, Inc.  
8000 Towers Crescent Dr., 13th Floor  
Vienna, VA 22182

May 28, 2008

VIA ECFS AND E-MAIL

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Ex Parte notice, MB Docket No. 07-57

Dear Ms. Dortch:

On May 27, 2008, the undersigned met with Elizabeth Andrion, Legal Advisor to Chairman Martin regarding certain proposed conditions to the proposed merger of Sirius Satellite Radio Inc. ("Sirius") and XM Radio Inc. ("XM").

Pioneer North America, Inc. ("PNA") does not take a position as to whether the proposed merger should be approved. However, iBiquity Digital Corporation ("iBiquity") has proposed certain conditions on the merger, should it be approved.<sup>1</sup> I explained PNA's opposition to these conditions.

The iBiquity conditions would limit the breadth of radio product offerings to consumers, limit which radio component suppliers' products be designed into radios, have the effect of decreasing AM/FM tuning performance, unnecessarily increase costs to consumers uninterested in HD Radio and interfere with the useful and healthy free market mechanisms extant in radio electronics purchases.

Free terrestrial analog and terrestrial digital radio services should be allowed to compete with paid satellite digital radio services on an even playing field. Consumers should be allowed to choose radios which meet their needs, without undue government influence.

It is our belief that HD Radio should compete in the marketplace with other radio services: if free local digital terrestrial radio services are compelling to consumers, HD Radio technology will succeed in the marketplace. In this case, the free market is the best measure of the public interest.

<sup>1</sup> See Letter from Albert Shuldiner and Robert A. Mazer, *May 1, 2008*.

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In accordance with §1.1206 of the Commission's Rules, one copy of this letter is being filed electronically via ECFS, and delivered via email to Ms. Andrion.

Regards,

A handwritten signature in blue ink, appearing to read "Adam Goldberg". The signature is fluid and cursive, with the first name "Adam" being more prominent than the last name "Goldberg".

Adam Goldberg  
Vice President  
Government and Industry Affairs  
Pioneer North America, Inc.  
(703) 846-3650

cc: Elizabeth Andrion