



June 17, 2008

Ex Parte Communication

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

Re: PS Docket No. 07-287
MB Docket No. 07-57

Dear Ms. Dortch:

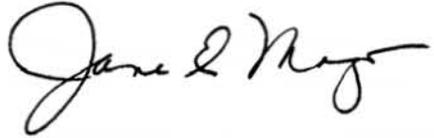
Yesterday, Jeff Smulyan, CEO, Emmis Broadcasting, accompanied by Jane Mago and David Layer of NAB discussed the value of having FM chips in cellphones in separate meetings with Commissioner Adelstein and his advisor Rudy Brioché; Elizabeth Andron, advisor to Chairman Martin and Lisa Fowlkes, Deputy Chief, Public Safety and Homeland Security Bureau; Cristina Pauzé, advisor to Commissioner McDowell; and Commissioner Tate with her advisor Wayne Leighton. Mr. Smulyan emphasized that broadcasters wanted to work with the cellular industry to include FM radio chips in cell phones, as they are in many countries around the world. Having these chips could provide a way for the wireless industry to comply with the WARN Act and contribute to public safety in times of emergency.

In addition, because of published reports that the Commission would soon make a decision on the proposed merger between XM and Sirius satellite radio companies, Ms. Mago reiterated NAB's opposition to any approval of the merger. Mr. Smulyan on behalf of Emmis, agreed that the merger should not be approved, but also noted that the conditions described in the press particularly with regard to future radios would not serve the public interest. He noted that, particularly given the history of noncompliance by the companies, any "open access" provision would not be sufficient and the FCC should require that HD radio chips be included in future satellite radio receivers.

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Please direct any questions to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jane E. Mago". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jane E. Mago
Senior Vice President & General Counsel
Legal and Regulatory Affairs