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June 26, 2008

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Re: *Consolidated Application for Authority to Transfer Control of XM  
Satellite Radio Holdings Inc. and Sirius Satellite Radio Inc.*, MM Docket  
No. 07-57; Notice of Ex Parte Presentation

Dear Ms. Dortch:

On June 26, 2008, on behalf of the National Association of Broadcasters ("NAB"), I, along with J. Wade Lindsay of my office, met with Rosemary Harold, Deputy Bureau Chief, Media Bureau, Royce Sherlock, Chief, Industry Analysis Division, Media Bureau, Kathryn Berthot, Chief, Spectrum Enforcement Division, Enforcement Bureau, and Gardner Foster, Legal Advisor to the Chief of the International Bureau. We discussed NAB's position that the Commission may not lawfully act on the above-captioned merger application until after certain documents relating to the apparent serious wrongdoing by "executive and senior-level employees" of XM Satellite Radio Holdings, Inc. and Sirius Satellite Radio regarding the operation of FM modulators/transmitters and/or terrestrial repeaters are made public and incorporated into the record of this proceeding. My presentation was consistent with NAB's Motion to Defer filed in the above-referenced proceeding on October 9, 2007.

Please contact me if you have any questions.

Sincerely yours,

  
David H. Solomon

cc: Rosemary Harold  
Royce Sherlock  
Kathryn Berthot  
Gardner Foster