



July 18, 2008

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

Re: MB Docket No. 07-57 *Ex Parte* Presentation

Dear Ms. Dortch:

On July 17, 2008, Bill Kling, president and CEO of American Public Media; Alisa Miller, president and CEO of Public Radio International; Dennis Haarsager, interim CEO of National Public Radio; along with Jeff Nelson, public affairs director for American Public Media; Mike Riksen, vice president for government relations at National Public Radio; Dan Jensen of Public Radio International; and Vin Weber and Erik Hotmire of Clark & Weinstock met by phone with Chairman Kevin Martin and Elizabeth Andrion, Legal Advisor for Media Issues for Chairman Martin, regarding the XM-Sirius license transfer review proceeding.

We restated arguments for concessions in return for allowing a monopoly use of all satellite frequencies consistent with our letters filed on July 8, 2008 and July 14, 2008.

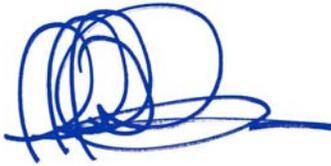
In order to assure public service at least partially commensurate with the value of the monopoly that would be created by the merger:

- **25 percent of the total satellite radio capacity should be set aside for noncommercial public service channels, minority broadcasters, and emergency services.** This follows precedent established by the FCC, which set-aside 20 percent of the FM band for non-commercial broadcasters alone.
- **The public interest set-aside should be “open access”:** free to the public and to content producers. All satellite radio owners should

receive this content without a subscription fee and the content should be distributed without fee by XM-Sirius.

- **An additional FCC rulemaking should be initiated to determine the structure and management of the set-aside.**
- **Terrestrial HD Radio** technology should be required in all new satellite radio receivers.

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a horizontal line at the bottom.

Jeff Nelson
American Public Media

cc. Chairman Kevin Martin
Elizabeth Andron, Legal Advisor for Media Issues