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VIA ELECTRONIC FILING

March 26, 2009

Marlene H. Dortch, Secretary
Federal Communications Commission
455 12th Street, SW
Washington, D.C. 20544

Re: Media Bureau Public Notice Seeking Comment on Implementation of Sirius-XM Merger Condition That Four Percent of Audio Channels Be Leased To Qualified Entities And Extends the Deadline for Compliance with This Condition – MB Docket 07-57

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 1.1206(b), I am electronically providing this notice of an *ex parte* communication to report that I, counsel to iClick2Media, Inc. and AlphaStar International Inc, along with Malik Shakur, President of iClick2Media, met with Royce Sherlock, Marcia Glauberman, Rebekah Goodheart, Kristi Thompson, Elvis Stumbergs, Maria Baghdadi of the Media Bureau's International Analysis Division; Rosalee Chiara and Mary Beth Murphy of the Mass Media Policy Division; Bob Ratcliffe and Roy Stewart of the Media Bureau Office of the Bureau Chief; and Gardner Foster and Robert Nelson of the International Bureau.

During the meeting, Mr. Shakur gave a presentation explaining that iClick2Media, with its joint venture partner AlphaStar, is proposing to form American Independent Radio, AIR. In short, Mr. Shakur informed them that he would be filing comments requesting that iClick2Media be selected as the designated entity to manage all the channels that make up the 4% of the Sirius XM capacity. Mr. Shakur explained that iClick2Media had formed a strategic alliance with AlphaStar International, the satellite company that, in this docket, originally proposed to serve the role as an independent aggregator of all program content that would be made available by providers looking to gain carriage on the Sirius XM independent channel capacity. He explained that through the venture, AIR would be a true independent alternative given that AlphaStar has the capability of encoding, managing, translating and preparing for transmission all of the independent content to appear on satellite radio. Using AlphaStar's facilities, AIR would go beyond simply packaging the material for transmission, but would also conduct the actual physical uplink of the data to the Sirius XM satellite network for subsequent downlink by Sirius onto their customers' transmitter devices in their vehicles. The benefit of this option is that it eliminates the fear the independent content could possibly be given inferior or discriminatory treatment to affiliated Sirius XM Content. He proposed that AIR, not SiriusXM, be held responsible for ensuring content on AIR abides by FCC Rules and regulations, including the indecency rules. He also proposed that AIR be made available free of charge. Mr. Shakur answered questions and presented the attached power point presentation.

Regards,

Jeneba Jalloh Ghatt

Jeneba Jalloh Ghatt
Counsel for iClick2Media, Inc.
And Alphastar International, Inc.

White Paper Presentation to the FCC

Why iClick2Media along with its Joint Venture Partner Alpha Star should be granted the 24 Sirius XM Channels to create



America Independent Radio

Overview



- iClick2Media: The Company and Plan
- Importance of Radio Content Diversity
- US Demographics Today
- Limitations for Content Providers
- Social Networks
- AIR Program Selection and Open Forum
- Financing and ROI
- The Rap-Up
- Contact Information

iClick2Media: The Company



- Formed in 2007 as an independent entertainment production and distribution company utilizing current technology and opportunities available in digital media (ex: Social Networks)
- Currently working in a joint venture with technology partner Alpha Star, an independent FCC licensed company
- Innovative and creative group of professionals with an outside-the-box mindset and focus on new and emerging digital technology and concepts
- Together with a strong belief in the high demand for independent points of view in the media, iClick2Media has created AIR - American Independent Radio

iClick2Media: Plan for the 24 Sirius XM Channels



- iClick2Media proposes to manage and facilitate the inclusion of new content on these radio airwaves. Alpha Star will use its knowledge, equipment, facilities, and infrastructure to upload and maintain the content onto the Sirius XM platform
- AIR has a superior edge as an entity that is capable of handling the content, programming, and meeting the technological demands
- No need for content providers to hand over programming to Sirius XM and risk the possibility that their content would be degraded, diluted, or given secondary and discriminatory treatment

The Importance of Radio Content Diversity Now



Radio, terrestrial and satellite, is very significant because the media is how people get their news, entertainment and information

- With the merger of Sirius Satellite Radio and XMSR, satellite radio has gone the way of terrestrial radio which has been suffering the negative effects increased consolidation
- Over the past decade, Clear Channel, and to a lesser extent, Viacom/Infinity/CBS Radio has dominated the public airwaves
- **Fewer radio companies:** The number of companies that own radio stations peaked in 1995 and declined dramatically over the next decade. This occurred largely because of industry consolidation but partly because many of the hundreds of new licenses issued after 1995 have went to a handful of companies and organizations
- **Larger radio companies:** Radio-station holdings of the ten largest companies in the industry increased by almost fifteen times from 1985 to 2007. Over that same period, holdings of the fifty largest companies increased almost sevenfold
- **Increasing revenue concentration:** National concentration of advertising revenue increased from 12 percent market share for the top four companies
- The result of such consolidation is decreased diversity of content and miniscule opportunity for independent content providers to have access to the airwaves

Goal: AIR aims to use the 24 Independent Channels as a mechanism for promoting diversity of content

United States Demographics Today: Some Facts and Figures



On August 14, 2008 the U.S. Census Bureau released a report that show our nation will be more racially and ethnically diverse, as well as much older, by midcentury

- Minorities, now roughly one-third of the U.S. population, are expected to become the majority in 2042.
- By 2050, the minority population — everyone except for non-Hispanic, single-race whites — is projected to be 235.7 million out of a total U.S. population of 439 million.
- The nation is projected to reach the 400 million-population milestones in 2039.
- The black population is projected to increase to 65.7 million, or 15 percent in 2050.
- The Asian population is projected to climb to 40.6 million
- Among the remaining race groups, American Indians and Alaska Natives are projected to rise to 8.6 million.
- The Native Hawaiian and Other Pacific Islander population is expected to more than double to 2.6 million.
- The number of people who identify themselves as being of two or more races is projected to triple to 16.2 million.

Limitations for Independent and Diverse Content Providers on the Airwaves



- The current state of available diverse content on terrestrial and satellite radio is grim.
- As a result of consolidation and mergers, the available content is homogenized*
 - Just fifteen formats make up three-quarters of all commercial programming. Moreover, radio formats with different names can overlap up to 80% in terms of the songs played on them.
 - Niche musical formats like Classical, Jazz, Americana, Bluegrass, New Rock, and Folk, where they exist, are provided almost exclusively by smaller station groups.
 - Across 155 markets, radio listenership has declined over the past fourteen years, a 22% drop since its peak in 1989. The consolidation allowed by the Telecom Act failed to reverse this trend.
 - Commercial radio now offers musicians fewer opportunities to get airtime and offers the public a narrow set of overlapping and homogenized programming formats.

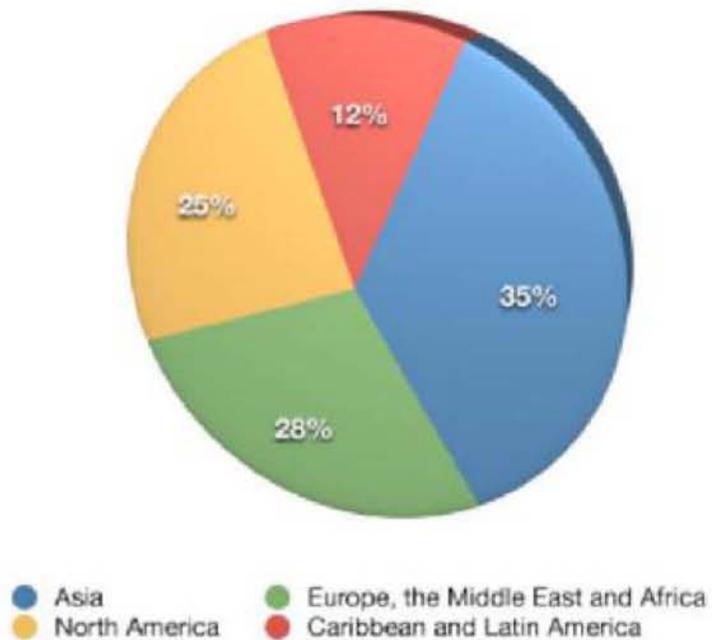
Solution: To use the 24 Sirius XM Channels to provide a means and space for independent and diverse voices, entertainment, music and public affairs programming to have an outlet.

**Future of Music Coalition, 2006 Report "False Premises, False Promises: A Quantitative History of Ownership Consolidation in the Radio Industry, 2006"*

Social Networks

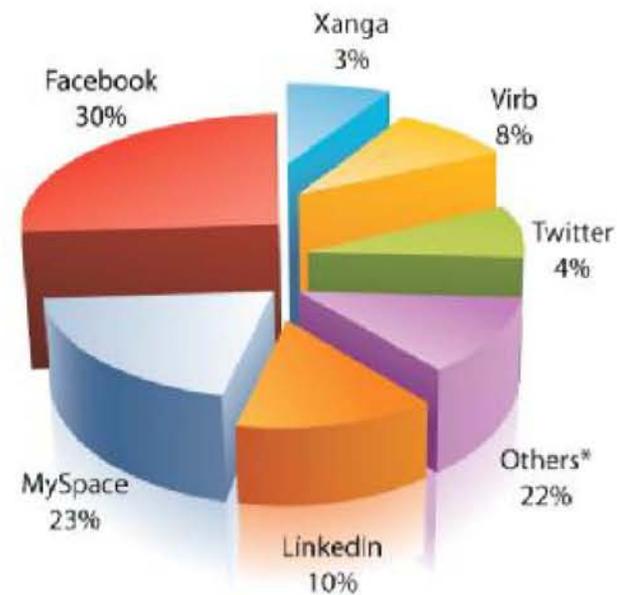


World-Wide Social Networking Users



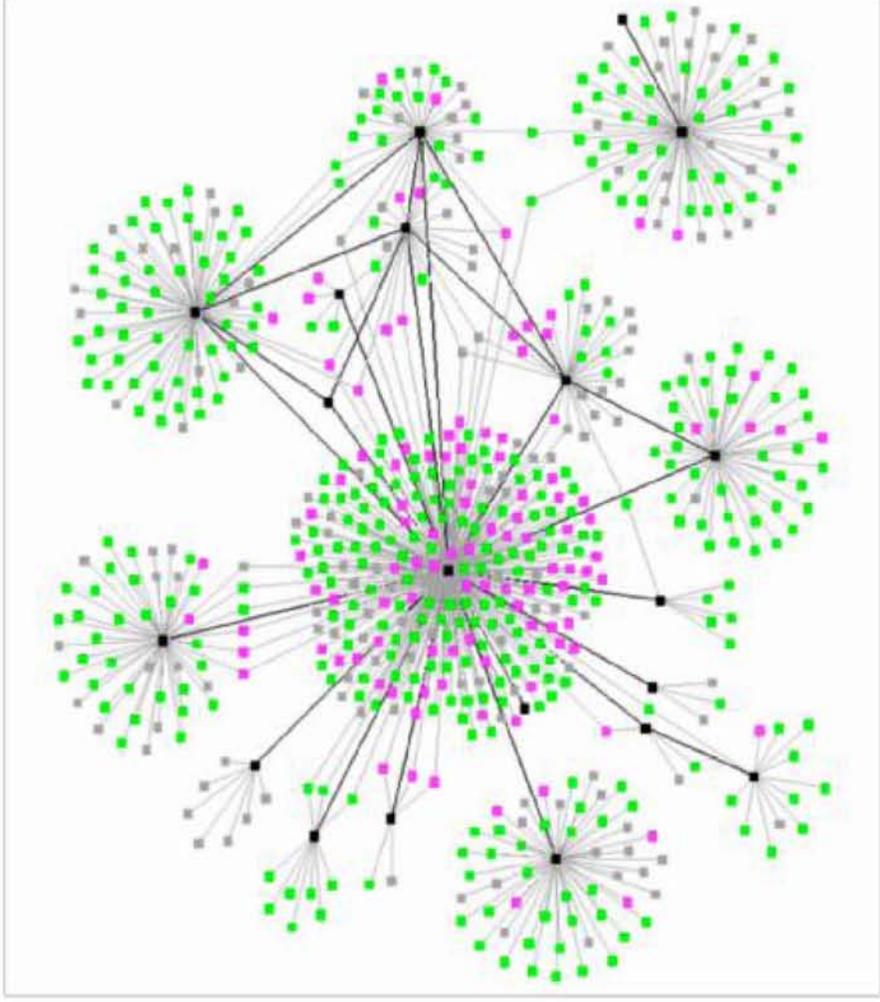
Source: Datamonitor Plc

Social Networks Used



*Others include a total of 20 various networks

What a Social Network Looks Like



How a Social Network Works

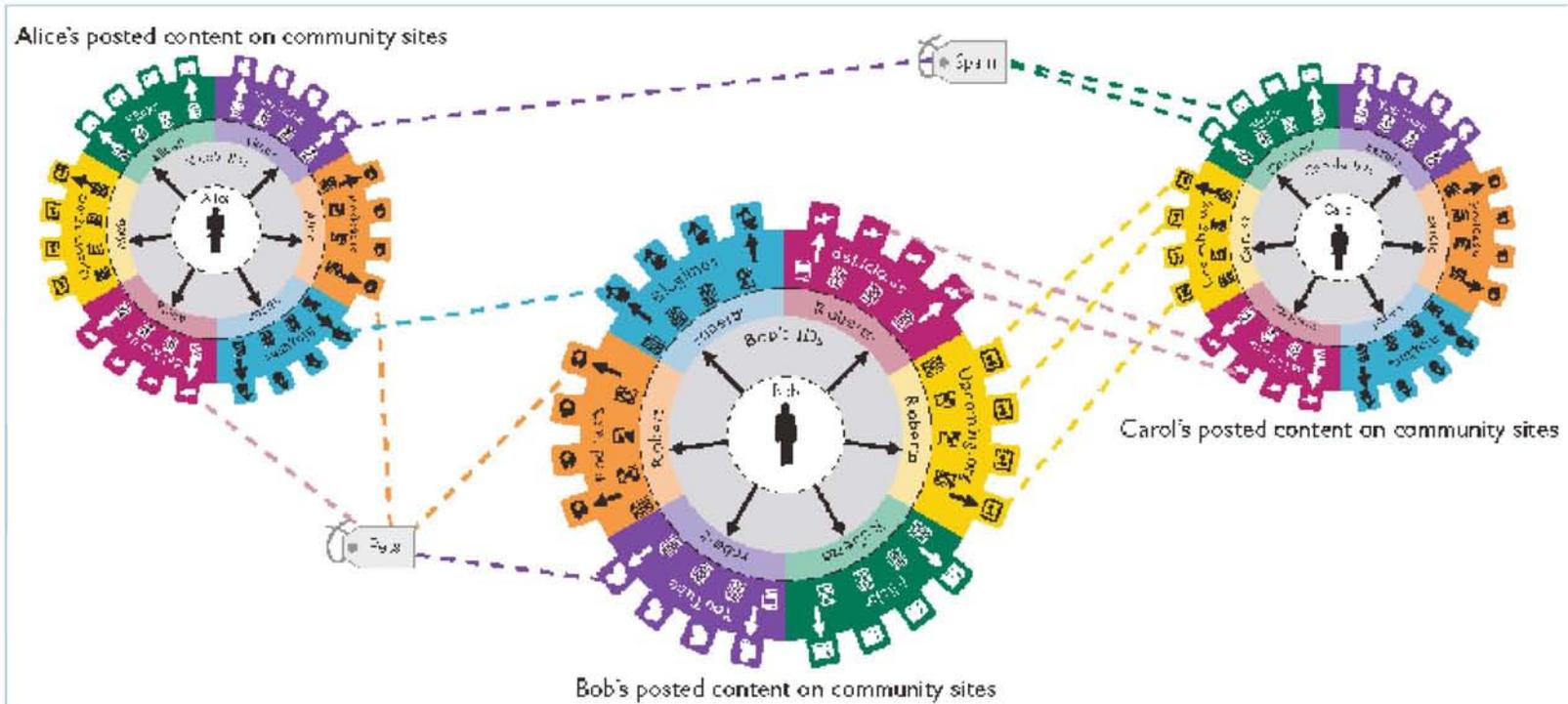


Figure 1. Object-centered social network. Users form social networks (using their possibly multiple online accounts) around the content items they act on — here on the Web 2.0.

A Proposed Process: AIR Program Selection and Allocation



The process of selecting Content Providers and Programming for the Independent 24 Channels will aim to be seamless, open and fair. AIR will utilize social networking media tools, traditional and new media marketing avenues and partner with local and national governmental entities to to launch the channels

Proposed process;

- Announcement to Not-For-Profits, Community Based Organizations, Grassroots Political Organizations, and Foundations of the availability of AIR
- AIR anticipates that content providers will come forth, eager to gain access to the satellite airwaves.
- Members or individuals will have the opportunity to submit a proposal and apply to AIR
- AIR will, partner with the Commission, and will solicit known and credible leaders in the nonprofit, communications, public interest communities to serve on the selecting board
- The programmers selected will have to demonstrate their ability to attract their target base, technical and financial capability of providing TOTALLY ORIGINAL CONTENT, and the ability to provide 52 weeks of consistent and original programming
- AIR will also encourage current internet radio operators and established terrestrial radio programs and content providers to apply as well
- A one year initial programming contract will be used to then review the programming on whether it is meeting the goals of AIR and deciding whether to renew the contract.
- Several factors along with meeting the needs of the independent content providers will be applied as well such as an independent tracking, ratings systems, and consumers input

Insuring a Fair and Open Forum

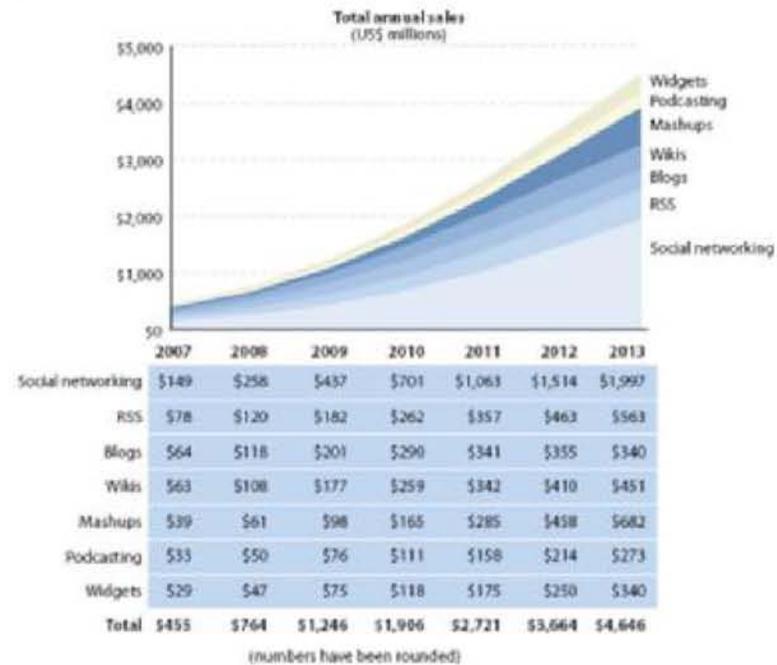


- Our process will always attempt to remain neutral, open, transparent, and subject to public notice and input on deciding who gets airtime on the AIR.
- Preference may be given to content that *does not currently exist* on the current Sirius XM line-up nor on any nationally syndicated content (cf. Rush Limbaugh, Tom Joyner, Michael Baesden, etc.)
- Over the course of the next 6 months, iClick2Media will begin setting time slots for potential new programming for launch by November 1, 2009 along with working with the FCC

Financing AIR and Potential ROI



- Funding subsidies are needed to get the ball rolling – AIR will utilize several federal grants, monies from foundations and advertising dollars that are readily available
- iClick2Media has identified outside funding sources for finance if granted the 24 Sirius XM Channels
- iClick2Media has compiled a list of 550 potential advertisers looking for an innovative means to market products to potential consumers using the digital space



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Source: Forrester Research, Inc.

Chart: Dollars spent and the potential spending in the digital marketplace

Non-Commercial vs. Commercial: What's the set up?



Non-Commercial:

These 12 channels will be devoted to the type of content currently provided by those entity defined by the FCC being non commercials and education

Commercial:

These 12 channels will be devoted to political opinions, debate, talk, music, grassroots movements, news, interviews, etc.



The Rap-Up



- If awarded, iClick2Media will have the processes in order immediately to begin collecting applicants and will stand ready to meet the imposed deadline of May 2009
- It is the goal of iClick2Media to create American Independent Radio using its technology in conjunction with Alpha Star and its broadcast ability
- Working as one entity, AIR will empower independent content providers and give a much needed voice to alternative voices on a world platform

Malik Shakur: CEO/Founder, iClick2Media



Mr. Shakur has been a Business & Legal Affairs and marketing professional for 20 years. As Director of Talent and Literary at M International Talent Agency, Mr. Shakur's duties were to package, promote and develop deals and opportunities for talent, producers, writers, and directors for film, television, print and music products. Mr. Shakur developed and implemented business strategic and marketing initiatives tailored to promote and penetrate new markets for clients' intellectual properties worldwide.

As Chief Marketing Officer for The Mosaic Agency Mr. Shakur developed, created and implemented commercials for clients' and produced music, lyrics, concepts, storyboards, and mock commercials to appears in print, on the radio, television and cable clients. Mr. Shakur conceived and developed mobile marketing delivery systems for clients' one-to-one advertising campaigns including digital media strategies and integrated marketing plans across different mediums. Mr. Shakur implemented grassroots and regional campaigns for introduction broadly the client's products into their target markets. As the Senior Vice President of Business/Development & Legal Affairs of Urban Icon Multimedia, he conceived, developed and implemented projects involving: Pepsi, Alberto V05, Downey, Morgan Spice Rum, Twix, Amtrak, Johnny Blaze, Hilton Hotel S.A., Apple Computers, Motown Records, Arista Records, Bad Boy Entertainment, Warner Chappell Music Columbia, Epic, Universal Music, MCA, Toshiba EMI, P-Vine Music, East West Music, Paramount, 20th Century Fox, HBO and UBO. Mr. Shakur holds two Bachelor of Arts Degree one Psychology and the other in Black & Puerto Rico Studies; a Masters of Art in Industrial Psychology ; and a Juris Doctor with a focus on intellectual property as it relates to the sports and entertainment business.

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On behalf of my company, iClick2Media, and Alpha Star, our joint venture partner and legal counsel, I would like to thank the FCC for imposing the 24 channels for independent content providers – Malik Shakur