

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Primosphere Limited Partnership)
)
Application for Authority to Construct,)
Launch and Operate Satellites in the)
Satellite Digital Audio Radio Service)

File Nos. 29/30-DSS-LA-93
16/17-DSS-P-93

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Policy Branch
International Bureau

To: The Commission

MOTION TO WITHDRAW APPLICATION FOR REVIEW

Primosphere Limited Partnership ("Primosphere"), by its attorneys, hereby moves to withdraw its Application for Review of the International Bureau's dismissal of Primosphere's above-referenced application for authority to construct, launch and operate two satellites in the Satellite Digital Audio Radio Service.

On December 21, 2001, Primosphere filed an Application for Review stating that the International Bureau's decision to dismiss its application was predicated solely on the Commission's affirmation of the Bureau's grants of SDARS licenses to XM Radio, Inc. and Sirius Satellite Radio, Inc (the "License Orders"). Primosphere further stated that it had filed with the U.S. Court of Appeals for the District of Columbia Circuit ("Court of Appeals") Petitions/Notices of Appeal seeking review of the Commission's orders affirming the License Orders. Primosphere also filed a Reply on February 7, 2002.

On February 21, 2003, the Court of Appeals denied Primosphere's appeals and affirmed the Commission's decisions. Accordingly, Primosphere now voluntarily and unilaterally withdraws its Application for Review and associated Reply.

Respectfully submitted,

PRIMOSPHERE LIMITED PARTNERSHP

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April 16, 2004

CERTIFICATE OF SERVICE

I, Nellie Martinez-Redicks, a secretary in the law firm of Drinker Biddle & Reath LLP, hereby certify that on this day, April 16, 2004, a copy of the foregoing "Motion to Withdraw Application for Review" was served on the following person by first class U.S. mail, postage prepaid:

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