



Department of State
San Juan, Puerto Rico

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FCC Mail Room

Kenneth D. McClintock
Secretary of State

August 13, 2009

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Sirius XM Radio, Inc., Request for Special Temporary Authority to Operate Terrestrial Repeaters in the Commonwealth of Puerto Rico, File No. SAT-STA-20081027-00210

Dear Chairman Genachowski:

On January 2, 2008, as President of the Senate of Puerto Rico and on behalf of the nearly four million consumers in Puerto Rico, I submitted a Senate motion which, in essence, urged the Commission to condition grant of the then-pending merger of XM Satellite Radio Holdings, Inc. and Sirius Satellite Radio, Inc. on the extension of satellite digital audio radio service to Puerto Rico. The motion was accompanied by copy of S.R. 3392, approved by the Senate of Puerto Rico on October 1, 2007, which urged the Commission to represent the interests of *all* U.S. citizens and not only of those resident in the 48 contiguous states.

I now write in my new capacity as Secretary of State of the United States Commonwealth of Puerto Rico to address this issue again. As the Commission knows, Sirius XM agreed provide satellite radio service to the Commonwealth¹ and, in order to

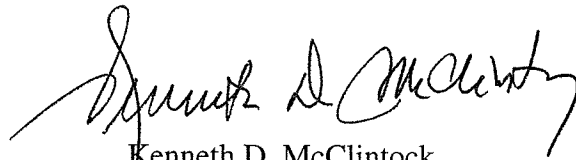
¹ *In the Matter of Applications for Consent to the Transfer of Control of Licenses; XM Satellite Radio Holdings Inc., Transferor To Sirius Satellite Radio Inc., Transferee, Memorandum Opinion and Order and Report and Order, 23 FCC Rcd 12348, ¶ 147 (2008)* ("Applicants have committed voluntarily to file applications with the Commission ... to provide the Sirius satellite radio service to the Commonwealth of Puerto Rico using

provide the same quality of service as received by customers on the U.S. mainland, Sirius XM has filed applications to accomplish this through a network of terrestrial repeaters in the Commonwealth.²

I urge you to grant these applications so that the people of Puerto Rico can begin to receive the same quality of service from Sirius XM that is received by consumers in the U.S. mainland. The Commission has determined that the provision of satellite radio service benefits U.S. consumers, but in the twelve years that this service has been available, consumers in Puerto Rico have been denied such benefits. The Commission now has before it a unique opportunity to rectify this inferior treatment of the people of Puerto Rico. Therefore, I urge you to grant Sirius XM's application as expeditiously as possible. Continuation of disparate treatment is simply unjustified.

Pursuant to the Commission's designation of this proceeding as a "Permit But Disclose," a copy of this letter is also being submitted via the Commission's International Bureau Electronic Filing System.

Sincerely,



Kenneth D. McClintock
Secretary of State
United States
Commonwealth of Puerto Rico

terrestrial repeaters and to promptly introduce such service upon grants of permanent authority by the Commission to operate these repeaters").

² Application for State Station Temporary Authority, File No. SAT-STA-20081027-00210 (filed October 27, 2008).