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February 24, 2011

VIA ECFS

Mr. William Lake
Chief, Media Bureau
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., MB Docket No. 07-57

Dear Mr. Lake:

We write in our capacity as Court-appointed interim lead counsel on behalf of a putative class of Sirius XM subscribers in an action pending in the federal district court in the Southern District of New York entitled *Carl Blessing et al v. Sirius XM Radio Inc.*, SDNY Case No. 1:09-cv-10035-HB (“the *Blessing* case”). This federal action seeks damages and injunctive relief against Sirius XM for alleged violations of Federal antitrust law and various state consumer protection statutes.

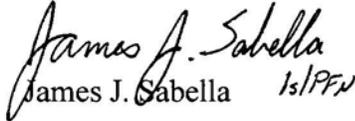
Currently pending before the Court are: 1) a motion for class certification; and 2) Sirius XM’s motion for summary judgment and opposition papers filed by the putative class in response to that motion. Although most of the material submitted to the Court is currently shielded from the public under a protective order, we believe that the Media Bureau would be aided by having access to the papers and discovery record submitted to the Court in the *Blessing* action and have sought Sirius XM’s concurrence in making the documents submitted to the Court public. In the near future, we anticipate that either: 1) an agreement will be reached with Sirius as to the documents that may be made available in unredacted form as part of the judicial public record, or 2) we will file a motion seeking to unseal portions of documents and briefs submitted in the *Blessing* action so that they may be shared with the Media Bureau and the public.

We respectfully submit that the Media Bureau should extend the public comment period to enable the submission of any documents that we are currently unable to share until such time as such documents become unsealed.

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In the interim, please feel free to contact us should you have any questions regarding this matter.
We thank you for your attention and consideration of this request.

Very Truly Yours,


James J. Sabella 1s/PFN


Christopher B. Hall 1s/PFN


Paul F. Novak

Grant & Eisenhofer P.A.

Cook, Hall & Lampros, LLP

Milberg LLP

cc: Marcia Glauberman

PFN:ga