



## NEWS RELEASE

**Marty J. Jackley**  
South Dakota Attorney General

**Charles McGuigan**  
Chief Deputy Attorney General

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**CONTACT:** Sara Rabern (605)773-3215

### **Attorney General Jackley Announces \$3.8 Million Multistate Settlement with Sirius XM**

PIERRE, S.D – Attorney General Marty Jackley, along with the attorneys general of 44 states and the District of Columbia, announced today that Sirius XM Radio Inc. has agreed to pay \$3.8 million to the states and to provide restitution to eligible consumers to resolve claims that the satellite radio company engaged in misleading advertising and billing practices. South Dakota's share in this settlement is \$50,037.51.

Consumers who have not previously filed a complaint with their attorney general for the practices covered by this settlement have 150 days after the settlement's execution date to file a complaint to be considered for restitution.

"It is fair to assume that consumers should be able to understand the terms of what they are purchasing and to easily exercise their cancellation rights at any time," said Jackley. "This settlement with Sirius XM addresses these issues and other important changes to their business practices and provides reimbursement to consumers."

The attorneys general allege that Sirius XM engaged in misleading, unfair, and deceptive acts or practices in violation of state consumer protection laws.

The states' investigation focused on consumer complaints involving: difficulty canceling contracts; cancellation requests that were not honored; misrepresentations that the consumer's Sirius XM service would be canceled and not renewed; contracts that were automatically renewed without consumers' notice or consent; unauthorized fees; higher, unanticipated rates after a low introductory rate; and Sirius XM failing to provide timely refunds.

Under the terms of the settlement, an Assurance of Voluntary Compliance, Sirius XM will make significant changes to its business practices. Specifically, Sirius XM agrees to:

- Clearly and conspicuously disclose all terms and conditions at the point of sale, such as billing frequency, term length, automatic renewal date, and cancellation policy.
- Make no misrepresentations about the available plans in advertisements.
- Provide advance notice via mail or email about upcoming automatic renewals for plans lasting longer than six months.

- Revise the cancellation procedures to make it easier for consumers to cancel.
- Prohibit incentive compensation for customer service representatives based solely on “saves,” or retaining current customers who attempt to cancel.

In addition to the \$3.8 million that Sirius XM will pay the states, Sirius XM also will provide restitution to eligible consumers who have complaints about the problems addressed by the Assurance.

To be considered for restitution under this settlement, consumers must file a complaint concerning conduct from July 28, 2008, to Dec. 4, 2014, involving an identifiable loss that has not been previously resolved with their state attorney general.

To file a complaint, South Dakota consumers should contact the Attorney General’s Consumer Protection Division at [consumerhelp@state.sd.us](mailto:consumerhelp@state.sd.us) or 800-300-1986. Consumers can also contact Sirius XM directly with their complaints. Complaints can be sent by mail to PO Box 33059, Detroit MI 48232-5059 or by going to the following web address: [www.siriusxm.com/settlementprogram](http://www.siriusxm.com/settlementprogram).