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September 8, 2020

Mr. Anthony Serafini, Chief
Experimental Licensing Division
Office of Engineering and Technology
Federal Communications Commission
445-12th Street, S.W.
Washington, D.C. 20554

Re: 3G Wireless, LLC; granted Special Temporary Authority
WQ9XXK; File No. 12540EX-ST-2020; Late-Filed Objection
Of Sirius XM Radio, Inc.

Greetings.

On behalf of our client, 3G Wireless, LLC, holder of the above-referenced, granted STA, the following is submitted in response to a document entitled *Objection of Sirius XM Radio, Inc. to 3G Wireless Request for Experimental Special Temporary Authority, File No. 1254-EX-ST-2020* (the Objection). This document was dated September 4, 2020 and ostensibly filed by Satcom Law LLC of Washington, D.C. on behalf of Sirius XM Radio, Inc. (SXM). There is as of today no indication that the document was actually filed, but we were informed by Karis Hastings that it was in fact filed on Friday, September 4, 2020 by some means and the filer sought “expedited action” thereon.

The Objection asks that the granted STA be “revoked” or “modified” to “remove the 2312-2320 MHz and 2352-2360 MHz frequencies (sic)” therefrom, on the basis of some undisclosed “analysis” of the proposed STA operation conducted in-house by undisclosed SXM agents, the outcome of which is not disclosed. There is literally no technical basis stated for the concerns that SXM raises in the Objection, and SXM does not allege that interference is likely, or even possible. The only allegations of fact are: (1) that the subject granted STA includes the bands 2312-2320 MHz and 2352-2360 MHz, which are adjacent and proximate, respectively, to the SDARS downlink band at 2320-2345 MHz; (2) that 3G Wireless intends to use the bands for video production of automobile racing events; (3) that there might be at these events a number of SXM DBS downlink subscribers; and (4) that the alleged “analysis” that SXM has supposedly done of this proposed STA operation leads SXM to be “concerned” that there will be “interference to subscriber’s reception of the Sirius XM signal.” This is the least supported, bare allegation that undersigned counsel has seen in 40 years of law practice before the Commission, and as a technical matter the objection is baseless and irresponsibly made. It most certainly does not justify any condition or modification of the granted 3G Wireless STA.

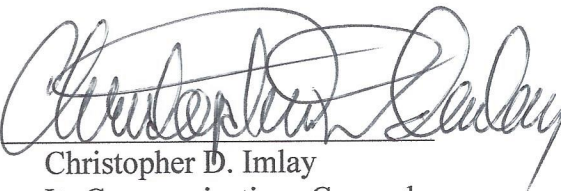
First of all, though SXM feigns offense at the fact that 3G did not succumb to its repeated badgering to “notch out” (sic) the bands 2312-2320 MHz and 2352-2360 MHz under repeated threats of having SXM file an objection with the Commission; it conveniently fails to include in its Objection the e-mail correspondence on September 4, 2020 to Karis Hastings from 3G’s President, Mr. Greg Robinson, which informed Ms. Hastings that 3G will not have any emissions above 2318 MHz or at 2345-2352 MHz; that 3G’s power level in the subject bands below 2318 and above 2352 MHz is 100 *milliwatts*; and that the 2318-2320 MHz and 2345-2352 MHz bands (the latter, a whopping 7 megahertz) will serve as “guard bands” that will amply protect SXM’s receivers against interference. Furthermore, 3G did acknowledge its obligation to resolve any actual interference that might result from the STA operation. SXM, however, filed its objection anyway, not wishing to acknowledge that it does not get to regulate adjacent and/or non-adjacent band uses without at least a showing of the likelihood of interference – a showing that SXM cannot possibly make in this instance.

SXM has not established that its receivers are protected from interference resulting from authorized transmissions out-of-band; it has not established that there is any likelihood at all that there will be such interference; it is in any case not entitled to limit STAs to the bands below 2312 or above 2360 MHz; and it has not provided any technical analysis even suggesting that 3G’s STA transmissions will result in out-of-band emissions that threaten SXM’s downlink service. 3G is well-aware that OET issues all Part 5 STAs and Experimental licenses on a non-interference basis and 3G is confident that it will not have any interference due to the frequency separation, the absence of any measurable out-of-band emissions in the 2320-2345 MHz band; and the exceptionally low power spectral density of its short-range video transmissions in the granted STA bands; but it is perfectly willing to address any actual interference complaints that may arise.

SXM is going to have to make a greater showing of interference potential than it has in order to justify the extensive relief sought at this point. 3G Wireless, LLC suggests that it can’t possibly do that. Accordingly, 3G requests that the Objection be denied or dismissed.

Respectfully submitted,

3G Wireless, LLC

By: 
Christopher D. Imlay
Its Communications Counsel

Cc: Karis Hastings