

NARRATIVE STATEMENT

I. Introduction and Background

Pursuant to Section 5.51 of the Commission's rules, 47 C.F.R. § 5.51 (2007), Sirius XM Radio Inc., hereby respectfully requests special temporary authority ("STA") for a four-month period, from **May 11 through September 11, 2009**, to test the design and functionality of prototype devices operating in the unlicensed 902-928 MHz band. The following information is provided in support of this request:

II. Purpose of Experimentation and Justification for Nationwide Authority

As a provider of satellite radio services in the United States, Sirius XM is continually involved in designing, developing and testing new devices and applications intended to advance the technologies and applications of its satellite service and to improve consumers' reception of its service. By this request for STA, Sirius XM seeks to test the functionality and acceptability of a prototype in-home repeater for Sirius XM's satellite radio service. The prototype repeater has been designed to comply with the requirements of Section 15.249 of the Commission's Rules, and under which the company intends to seek equipment approval. Sirius XM's research and development of this product has reached a stage that now requires "real-world" field tests, operational trials, and proof of concept evaluations.

Sirius XM proposes to operate the prototype devices near its engineering facilities identified in the application. Because the product is intended to be used in the home, and to obtain statistically valid engineering results regarding signal propagation, Sirius XM also needs to conduct tests in residential environments, primarily at the residences of its employees working under its supervision. The nature of the service and the devices associated with the service typically involve residential usage and therefore should be authorized under the requested STA. Such a request is fully consistent with the FCC's rules regarding such licenses in ET Docket No. 96-256. *See Amendment of Part 5 of the Commission's Rules to Revise the Experimental Radio Service Regulations*, ET Docket No. 96-256, Report and Order, 13 FCC Rcd 21391 (1998) ("*ERS Streamlining Order*").

Sirius XM does not propose to market, sell, or lease prototype equipment to end users or conduct a market study in conjunction with this test, although employees and other persons working under the control and supervision of Sirius XM would be involved in evaluating the devices for customer acceptability. Moreover, upon completion of the tests, all unapproved devices will be returned to Sirius XM for disposal as required by FCC rules.

III. Technical Specifications

Bandwidth / Emissions Designators:

The devices are designed to operate with a bandwidth of 25 MHz in the unlicensed 902-928 MHz band. The emission designators for the units are 25M0G7W and 25M0X7W. Sirius XM might employ various other modes of modulation and bandwidth but all devices would be designed to comply with the bandwidth and signal strength limits set forth in Section 15.249 of the FCC Rules. None of these modes of operation would extend beyond the limits set forth for the 902-928 MHz band.

Power Levels:

The power levels of the units have been designed to conform with radiated field strength limits specified under Section 12,249 of the FCC's rules. For purposes of completing the required fields in the FCC application, it has calculated the effective radiated power in watts as less than 460 microwatts (uW). The transmitting device will include an integral antenna.

IV. Number of Units and Operational Safeguards

As discussed above, Sirius XM seeks to obtain accurate "real-world" engineering data regarding the performance, functionality, and acceptability of these prototype devices. Thus, it must deploy a sufficient number of units, at a sufficient number of locations, and under a variety of operating conditions during its studies to simulate actual usage. Sirius XM anticipates that it will be able to conduct such tests with a maximum of 15 units at each location, but will use the minimum number necessary. This quantity will allow for evaluation in a wide variety of RF environments.

Sirius XM also recognizes that the operation of any unapproved devices must not cause harmful interference to authorized facilities. It does not anticipate that such interference will occur, as the prototype equipment is designed to operate at the low signal strength levels set forth in Part 15 of the FCC's rules. Should interference occur, however, Sirius XM will immediately take reasonable steps to resolve the interference, including if necessary discontinuing operation under the STA. To that end, Sirius XM would advise persons evaluating the devices that permission to operate the equipment has been granted under experimental authority issued to Sirius XM by the Commission, is strictly temporary and may be canceled at any time. Specifically, Sirius XM proposes to label the equipment or user information conspicuously as follows:

FCC STATEMENT

Permission to operate this device has been granted under experimental authority issued by the Federal Communications Commission to Sirius XM Radio Inc., is strictly temporary, and may be canceled at any time.

This device has not been authorized as required by the rules of the Federal Communications Commission. This device is not, and may not be, offered for sale or lease, or sold or leased, until authorization is obtained. This device remains the property of Sirius XM and is to be returned upon completion of the tests for which it was provided.

V. Conclusion

Sirius XM submits that the public interest, necessity and convenience are served by the grant of an STA under these circumstances. As noted at paragraph 12 of the *ERS Streamlining Order*, such action would enhance the company's ability to obtain information needed to ensure that the products it designs and deploys will accommodate and promote new technologies associated with its services.

VI. Contacts for Inquiries

Technical Contact:

Craig P. Wadin
SVP RF Systems
Sirius XM Radio Inc.
3161 SW 10th Street
Deerfield, FL 33442

Telephone: (954) 571-4313
Craig.Wadin@siriusxm.com

Legal Contacts:

David E. Hilliard, Esq.
Kurt E. DeSoto, Esq.
Wiley Rein LLP
1776 K Street, N.W.
Washington, DC 20006

Telephone: (202) 719-7000
Facsimile: (202) 719-7049
dhilliard@wileyrein.com
kdesoto@wileyrein.com